

**OFFICIAL JOURNAL
OF THE
SENATE
OF THE
STATE OF LOUISIANA**

THIRTY-FIRST DAY'S PROCEEDINGS

**Thirty-First Regular Session of the Legislature
Under the Adoption of the
Constitution of 1974**

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Thursday, June 16, 2005

The Senate was called to order at 1:30 o'clock P.M., by Hon. Donald E. Hines, President of the Senate.

ROLL CALL

The roll being called, the following members answered to their names:

PRESENT

Mr. President	Dupre	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Romero
Cain	Hollis	Schedler
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Uilo
Duplessis	Malone	
Total - 38		

ABSENT

Total - 0

The President of the Senate announced there were 38 Senators present and a quorum.

Prayer

The prayer was offered by Amber Clark, following which the Senate joined in pledging allegiance to the flag of the United States of America.

Reading of the Journal

On motion of Senator Kostelka, the reading of the Journal was dispensed with and the Journal of yesterday was adopted.

Morning Hour

**Privilege Report of the
Legislative Bureau**

June 16, 2005

To the President and Members of the Senate:

I am directed by your Legislative Bureau to submit the following report:

The following bills are approved as to construction and duplication.

HOUSE BILL NO. 36—
BY REPRESENTATIVE FARRAR
AN ACT

To enact R.S. 22:215.12, relative to health insurance; to require health insurance policies, contracts, and plans to provide coverage for colorectal cancer screening; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 69—
BY REPRESENTATIVES TUCKER, SCALISE, AND WALSWORTH
AN ACT

To amend and reenact R.S. 22:1425(A), (B), and (C)(3) and (5) and to repeal Section 2 of Act 770 of the 2004 Regular Session, relative to automobile liability insurance; to provide for military personnel; to provide for discounts; to provide for premium tax credits; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 95—
BY REPRESENTATIVES GARY SMITH, MONTGOMERY, FARRAR, BURRELL, DARTEZ, FAUCHEUX, RICHMOND, AND WHITE AND SENATOR ROMERO
AN ACT

To enact R.S. 29:36.1(E), relative to members of the Louisiana National Guard; to provide for financial support of the members and their survivors; to provide that the Military Department, State of Louisiana, shall study the feasibility of reimbursing group life insurance premiums paid by members; to provide for exemption from tuition charges for the surviving spouse and minor children of any member killed while serving in certain military service; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 152—
BY REPRESENTATIVE E. GUILLORY
AN ACT

To amend and reenact R.S. 18:563(D) and (E) and to enact R.S. 18:563(F), relative to voting procedures; to prohibit the use of certain electronic communication devices while voting; to exempt from the prohibition certain electronic communication devices to be used for assisted voting; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 187—
BY REPRESENTATIVES ARNOLD, ALARIO, ALEXANDER, ANSARDI, BADON, BALDONE, BAUDINO, BRUCE, BRUNEAU, BURNS, CAZAYOUX, CRANE, CRAVINS, CURTIS, DARTEZ, DORSEY, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FRITH, GREENE, HAMMETT, HEATON, HEBERT, HILL, HUTTER, JACKSON, KATZ, KENNEY, LAFLEUR, LAFONTA, LANCASTER, MARCHAND, MARTINY, MCDONALD, MONTGOMERY, MORRELL, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROMERO, SCALISE, SCHNEIDER, SHEPHERD, GARY SMITH, JANE SMITH, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TUCKER, WALKER, AND WALSWORTH
A JOINT RESOLUTION

Proposing to amend Article VII, Section 21(E) of the Constitution of Louisiana, to remove prohibition against extending ad valorem tax exemption for motor vehicles to taxes levied by a municipal governing authority or a district created by such authority; to exempt motor vehicles from municipal ad valorem taxes; to provide for the submission of the proposed amendment to the electors; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 228—
BY REPRESENTATIVE JEFFERSON
AN ACT

To amend and reenact Code of Criminal Procedure Articles 270(A) and 271(A) and (B), relative to bail in extradition cases; to provide with respect to bail in extradition cases; to provide with respect to eligibility; to provide for a contradictory hearing in certain cases; to prohibit bail once a warrant is issued; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 242—

BY REPRESENTATIVE CROWE

AN ACT

To amend and reenact R.S. 40:1299.35.7(D), relative to abortion; to provide with respect to the offering of informed consent information in certain cases; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 252—

BY REPRESENTATIVE ARNOLD

AN ACT

To amend and reenact R.S. 42:5(D) and to repeal R.S. 42:5.1, relative to open meetings; to provide for public comment at meetings of school boards; to remove specific provisions applying to meetings of school boards; to apply general provisions regarding public comment at meetings of public bodies to school boards; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 303—

BY REPRESENTATIVE HAMMETT

AN ACT

To amend and reenact R.S. 47:6006(A), relative to authorizing a credit against income and corporation franchise taxes for ad valorem taxes paid to political subdivisions on natural gas held, used, or consumed in providing natural gas storage services or operating natural gas storage facilities; to delete an obsolete reference; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 304—

BY REPRESENTATIVE HAMMETT

AN ACT

To enact R.S. 47:301(10)(y), relative to state sales and use taxes; to exclude purchases of natural gas held, used, or consumed in providing natural gas storage services or operating natural gas storage facilities from the state sales and use tax; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 356—

BY REPRESENTATIVE RICHMOND

AN ACT

To amend and reenact Section 2 of Act 66 of the 2002 Regular Session of the Legislature and R.S. 47:6016(B)(4), relative to new market tax credits; to define certain terms; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 370—

BY REPRESENTATIVES FAUCHEUX AND GARY SMITH

A JOINT RESOLUTION

Proposing to amend Article VII, Section 18(G)(1)(a)(i) and (2)(a) and to add Article VII, Section 18(G)(1)(a)(iv) of the Constitution of Louisiana, relative to ad valorem taxation; to create a special assessment level for persons designated as disabled by the United States Social Security Administration; to provide for submission of the proposed amendment to the electors; to provide a ballot proposition; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 372—

BY REPRESENTATIVE QUEZAIRE

AN ACT

To amend and reenact R.S. 32:388(B)(1)(b) and (c) and (C) through (F) and to enact R.S. 32:388(G), relative to penalties for overweight and oversized vehicles; to prohibit certain exceptions for overweight and over-axle penalties from being applied to violations which occur on the interstate system; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 386

BY REPRESENTATIVE SMILEY

AN ACT

To amend and reenact R.S. 25:1223(E) and 1224(A)(introductory paragraph) and (13), R.S. 36:610(E), 802(introductory paragraph), and 802.3, and R.S. 51:2379(A)(3) and (D), 2380(C), 2382(B), and 2383(B)(1) and (C), to enact R.S. 36:109(G)(2), 239(B)(6), 259(D), and 409(F)(3), and to repeal Part IV of Chapter 11 of Title 17 of the Louisiana Revised Statutes of 1950, comprised of R.S. 17:2251 through 2262, R.S. 25:1222(C) and 1223.1, R.S. 32:390.24, Part IV of Chapter 6 of Title 34 of the Louisiana Revised Statutes of 1950, comprised of R.S. 34:1101 through 1106, R.S. 36:4(P), 109(D) and (M), 209(M)(2) and (U), 259(S), 409(C)(9), (D)(1), (J), and (K), 478(C)(5) and (H)(6), 509(N), 629(P), 651(D)(7), 916, and 918, R.S. 37:1285.2, Part IX of Chapter 6 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:1486.1, Chapter 22 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:2491 through 2494, Chapter 29 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:2741 through 2745, R.S. 46:231(2), 261(B), (C), (D), (E), and (G), Chapter 14-D of Title 46 of the Louisiana Revised Statutes of 1950, comprised of R.S. 46:1443 and 1443.1, Chapter 38 of Title 46 of the Louisiana Revised Statutes of 1950, comprised of R.S. 46:2511 through 2514, Subpart B of Part V of Chapter 1 of Title 48 of the Louisiana Revised Statutes of 1950, comprised of R.S. 48:81 through 84, Part VI-C of Chapter 1 of Title 48 of the Louisiana Revised Statutes of 1950, comprised of R.S. 48:108.1 and 108.2, Chapter 17 of Title 48 of the Louisiana Revised Statutes of 1950, comprised of R.S. 48:1681 through 1687, R.S. 51:936(B), Subpart D of Chapter 9 of Title 51 of the Louisiana Revised Statutes of 1950, comprised of R.S. 51:1291 and 1292, Chapter 12 of Title 51 of the Louisiana Revised Statutes of 1950, comprised of R.S. 51:1361 through 1368, R.S. 51:2378(D)(3), and Act No. 319 of the 1977 Regular Session, relative to boards, commissions, authorities, districts, and like entities; to abolish certain inactive boards, commissions, districts, authorities, and like entities; to remove references to certain abolished entities; to abolish the Louisiana Imports and Exports Trust Authority created pursuant to R.S. 9:2341; to remove references to, provisions for, and the powers, functions, and duties of the Louisiana Education Facilities Authority; to remove references to, provisions for, and the powers, functions, and duties of the Atchafalaya Trace Advisory Board; to remove references to, provisions for, and the powers, functions, and duties of the Board of Morgan City, Berwick Port Pilot Commissioners and Examiners; to abolish the Louisiana Litter Reduction and Public Action Commission and provide that its powers, duties, functions, and responsibilities are transferred to the secretary of the Department of Environmental Quality; to remove references to, provisions for, and the powers, functions, and duties of the Louisiana Motor Carrier Advisory Committee; to remove provisions for the Advisory Committee on Pain; to abolish the Rural Health Care Authority and provide that its powers, duties, functions, and responsibilities are transferred to the secretary of the Department of Health and Hospitals; to abolish the Louisiana Biomedical Research and Development Park Commission and provide that its powers, duties, functions, and responsibilities are transferred to the secretary of the Department of Economic Development; to remove provisions for the Southern Louisiana Drinking Water Study Commission; to remove references to, provisions for, and the powers, functions, and duties of the Louisiana Healthy People 2010 Planning Council; to remove references to the Louisiana Welfare Reform Coordinating Committee; to remove references to and duties of the Fatherhood Council, including certain plans and reports relative to the Fatherhood Initiative; to remove references to, provisions for, and the powers, functions, and duties of the Louisiana Child Care Challenge Committee; to remove references to, provisions for, and the powers, functions, and duties of the Council to Prevent Chemically Exposed Infants; to abolish the Interagency Recreation Board and provide that its powers, duties, functions, and responsibilities are

transferred to the secretary of the Department of Public Safety and Corrections; to remove references to, provisions for, and the powers, functions, and duties of the Louisiana Infrastructure Bank and its board of directors; to remove references to, provisions for, and the powers, functions, and duties of the Louisiana High-Speed Rail Transportation Advisory Council; to remove references to, provisions for, and the powers, functions, and duties of the Louisiana Western Corridor Commission; to remove references to, provisions for, and the powers, functions, and duties of the Louisiana Hospitality Research Program; to remove references to, provisions for, and the powers, functions, and duties of the Louisiana International Trade Development Board; to remove references to and provisions for the executive committee of the Louisiana Economic Development Council and to allocate certain of its duties to the council; to remove references to the Coordinating Council on Telemedicine and Distance Education, the Louisiana Historical Jazz Society, the Medicaid Drug Program Committee, the State Licensing Board for Locksmiths, the Stress Analysts Board, the Governor's Committee on Employment of Physically Handicapped, the Louisiana Marine Recreational Fishing Development Board, the Louisiana Alligator Market Development Authority, and the Council for Development of Spanish in Louisiana; to remove provisions for the Pointe Coupee-West Feliciana Bridge, Ferry, and Tunnel Authority; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 406—
BY REPRESENTATIVE LAMBERT
AN ACT

To amend and reenact R.S. 43:87, relative to distribution of copies of the official journal of the state containing acts of the legislature; to provide for distribution of copies to judges only upon request; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 415—
BY REPRESENTATIVES M. POWELL, BRUNEAU, LANCASTER, AND WADDELL
AN ACT

To amend and reenact R.S. 18:402(F)(5), relative to election dates; to eliminate the January election date for bond, tax, and other proposition elections; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 509—
BY REPRESENTATIVE TRICHE
AN ACT

To enact R.S. 32:853(A)(1)(e), relative to motor vehicle operating records; to provide relative to offenses included on an individual's operating record; to prohibit certain offenses from appearing on an individual's operating record; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 573—
BY REPRESENTATIVES KENNARD, ANSARDI, DORSEY, RITCHIE, AND STRAIN
A JOINT RESOLUTION

Proposing to amend Article VII, Section 18(G)(1)(a)(i) and (2)(a) and to add Article VII, Section 18(G)(1)(a)(iv) of the Constitution of Louisiana; to provide for a special assessment level for homestead exempt property owned by honorably discharged disabled military veterans for ad valorem tax purposes based upon the extent of the disability; to provide for submission of the proposed amendment to the electors; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 574—
BY REPRESENTATIVE BARROW
AN ACT

To amend and reenact R.S. 22:11.1(A)(3), (5), and (8) and (B)(1) and (2) and to enact R.S. 22:11.1(D) and (E), relative to health insurance; to provide for definitions; to provide relative to credentialing and recredentialing of health care providers by health insurance issuers; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 639—
BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 33:4574.1(b) and R.S. 47:301(6)(b) and (14)(b)(iv), relative to sales and use taxes; to provide relative to the definition of hotel and places of amusement; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 644—
BY REPRESENTATIVE BARROW
AN ACT

To repeal Children's Code Article 616(E), relative to child abuse; to repeal certain provisions relative to the disposition of reports and investigations of child abuse.

Reported without amendments.

HOUSE BILL NO. 655—
BY REPRESENTATIVE MONTGOMERY
AN ACT

To amend and reenact R.S. 51:1787(B)(6), relative to sales tax rebates for construction in an enterprise zone; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 663—
BY REPRESENTATIVES GLOVER, BAYLOR, BOWLER, BRUCE, BURRELL, AND JACK SMITH
AN ACT

To enact R.S. 15:572.8, relative to the wrongful conviction and imprisonment; to create an application process for compensation for wrongful conviction and imprisonment; to provide for compensation; to create the Innocence Compensation Fund as a special fund in the state treasury; to provide for the deposit, use, and investment of monies in the fund; to provide for the funding of annuity contracts in certain circumstances; to provide procedures for filing an application; to provide for the period of time in which the application shall be filed; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 675—
BY REPRESENTATIVE BEARD
AN ACT

To amend and reenact R.S. 40:1299.58.2(14) and (15) and 1299.58.3(C)(1) and (3) and to enact R.S. 40:1299.58.2(16), relative to living wills; to define spouse; to provide for the illustrative form; and to provide for related matters.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 675 by Representative Beard

AMENDMENT NO. 1

On page 1, line 15, following "14;" and before "against" change "213" to "2(13)"

HOUSE BILL NO. 689—

BY REPRESENTATIVE WALSWORTH
AN ACT

To amend and reenact R.S. 22:1244(A)(3) and to enact R.S. 22:1244(C), relative insurance fraud; to provide for automobile insurance fraud; to provide for restitution; to provide for civil right of action; and to provide for related matters.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 689 by Representative Walsworth

AMENDMENT NO. 1

On page 1, line 2, following "relative" and before "insurance" insert "to"

HOUSE BILL NO. 692—

BY REPRESENTATIVE WOOTON
AN ACT

To enact Code of Criminal Procedure Article 336.2, relative to operating a vehicle while intoxicated; to require an ignition interlock device as a condition of release on bail for certain persons arrested for certain alcohol-related driving offenses; to provide for procedures; to provide for waiver of this requirement by courts in certain circumstances; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 711—

BY REPRESENTATIVE MORRELL
AN ACT

To enact R.S. 40:2533(C), relative to personnel files of law enforcement officers; to require certain complaints involving domestic abuse made against an officer to be expunged from his file; to define applicable ordinances and statutes for which expungement is available; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 835—

BY REPRESENTATIVE DANIEL
AN ACT

To amend and reenact R.S. 47:633(7)(c)(iv)(introductory paragraph) and (aa), relative to the severance tax; to exempt from the severance tax certain production on wells which have been inactive; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 880— (Substitute for House Bill No. 431 by Representative Lancaster)

BY REPRESENTATIVES LANCASTER, SALTER, ALARIO, DORSEY, GALLOT, AND HAMMETT AND SENATORS HINES, BAJOE, HEITMEIER, AND MOUNT

AN ACT

To amend and reenact R.S. 44:4.1(B)(35), to enact Chapter 4 of Title V of the Children's Code, to be comprised of Articles 541 through 546, and to repeal Chapter 14 of Title 15 of the Louisiana Revised Statutes of 1950, comprised of R.S. 15:1461 through 1464, relative to information concerning children and their families; to provide that agencies providing services to children and their families and city, parish, or other local public school boards are authorized to request the release or exchange of information, data, reports, and records which are relevant and necessary to the performance of their respective duties to children and their families; to provide for procedures relative to the release of such information; to provide for procedures to be utilized when an agency or school board refuses or fails to provide for the release of such information; to require agencies to exercise due diligence in obtaining consent, authorization, waiver, court order, or an order from an administrative law

judge to obtain information regarding children and their families; to provide with respect to confidentiality of such information; to provide with respect to immunity from liability; to provide relative to an exception in the public records law; to remove certain provisions specific to juveniles; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 882 — (Substitute for House Bill No. 566 by Representative R. Carter)

BY REPRESENTATIVE R. CARTER
AN ACT

To enact R.S. 22:2004.3, relative to health maintenance organizations; to provide with respect to coverage of certain services legally performed by chiropractors; to provide relative to discriminatory terminology; and to provide for related matters.

Reported without amendments.

Respectfully submitted,
ARTHUR J. "ART" LENTINI
Chairman

Introduction of Senate Concurrent Resolutions

Senator Bajoie asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Senate Concurrent Resolutions a first and second time and acting upon them as follows:

SENATE CONCURRENT RESOLUTION NO. 121—

BY SENATOR SMITH AND REPRESENTATIVE FANNIN
A CONCURRENT RESOLUTION

To recognize and commend Russell Sullivan for a lifetime of dedication to agricultural education.

The resolution was read by title. Senator Smith moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Malone
Amedee	Fields	Marionneaux
Bajoie	Fontenot	Michot
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Hollis	Romero
Cain	Jackson	Schedler
Dardenne	Jones	Smith
Duplessis	Kostelka	Theunissen
Dupre	Lentini	Ullo

Total - 30

NAYS

Total - 0

ABSENT

Adley	Cravins	Mount
Chaisson	Heitmeier	Shepherd
Cheek	McPherson	

Total - 8

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

**House Concurrent Resolutions
on Second Reading**

The following House Concurrent Resolutions were read and acted upon as follows:

House Concurrent Resolutions

Senator Bajoie asked for and obtained a suspension of the rules to take up at this time the following House Concurrent Resolutions just received from the House which were taken up, read a first and second time by their titles and acted upon as follows:

**HOUSE CONCURRENT RESOLUTION NO. 193—
BY REPRESENTATIVE JOHN SMITH AND SENATOR CAIN
A CONCURRENT RESOLUTION**

To commend Trooper First Class Rodney Helton upon his receipt of the 2005 Governor Jimmie Davis Sunshine Award.

The resolution was read by title. Senator Cain moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Malone
Amedee	Fields	Marionneaux
Bajoie	Fontenot	Michot
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Hollis	Schedler
Cain	Jackson	Smith
Dardenne	Jones	Theunissen
Duplessis	Kostelka	Ullo
Dupre	Lentini	
Total - 29		

NAYS

Total - 0

ABSENT

Adley	Cravins	Mount
Chaisson	Heitmeier	Romero
Cheek	McPherson	Shepherd
Total - 9		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

**HOUSE CONCURRENT RESOLUTION NO. 195—
BY REPRESENTATIVES SCALISE, ALARIO, ANSARDI, BOWLER,
DAMICO, LABRUZZO, LANCASTER, MARTINY, PITRE, TOOMY,
TUCKER, AND WOOTON AND SENATORS HEITMEIER, HOLLIS,
LENTINI, SHEPHERD, AND ULLO**

A CONCURRENT RESOLUTION

To urge and request the governor to select a university or universities to conduct a study of the economic impact of the state's film industry on the local economies of the state's parishes and municipalities.

The resolution was read by title. Senator Hollis moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Michot
Amedee	Gautreaux B	Murray

Bajoie	Gautreaux N	Nevers
Broome	Hollis	Romero
Cain	Jackson	Schedler
Dardenne	Jones	Smith
Duplessis	Kostelka	Theunissen
Dupre	Lentini	Ullo
Ellington	Malone	
Fields	Marionneaux	

Total - 28

NAYS

Total - 0

ABSENT

Adley	Cheek	Mount
Barham	Cravins	Shepherd
Boasso	Heitmeier	
Chaisson	McPherson	
Total - 10		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

**HOUSE CONCURRENT RESOLUTION NO. 196—
BY REPRESENTATIVE PITRE**

A CONCURRENT RESOLUTION

To commend Marian Cooper of Grand Isle High School upon being named Educator of the Year by the American Legion, Department of Louisiana.

The resolution was read by title. Senator Ullo moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Marionneaux
Amedee	Fields	Michot
Bajoie	Fontenot	Murray
Barham	Gautreaux B	Nevers
Boasso	Gautreaux N	Romero
Broome	Hollis	Schedler
Cain	Jackson	Smith
Dardenne	Jones	Theunissen
Duplessis	Kostelka	Ullo
Dupre	Malone	
Total - 29		

NAYS

Total - 0

ABSENT

Adley	Cravins	McPherson
Chaisson	Heitmeier	Mount
Cheek	Lentini	Shepherd
Total - 9		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

**HOUSE CONCURRENT RESOLUTION NO. 197—
BY REPRESENTATIVE JEFFERSON**

A CONCURRENT RESOLUTION

To urge and request the City Council of New Orleans to examine the feasibility of establishing a polling place on the Tulane University campus in order to provide the surrounding community with a convenient and easily accessible location for voting.

The resolution was read by title. Senator Murray moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Malone
Adley	Ellington	Marionneaux
Amedee	Fields	Michot
Bajoie	Fontenot	Murray
Barham	Gautreaux B	Nevers
Boasso	Gautreaux N	Romero
Broome	Hollis	Schedler
Cain	Jackson	Smith
Dardenne	Jones	Theunissen
Duplessis	Kostelka	Ullo
Total - 30		

NAYS

Total - 0

ABSENT

Chaisson	Heitmeier	Mount
Cheek	Lentini	Shepherd
Cravins	McPherson	
Total - 8		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON**HEALTH AND WELFARE**

Senator McPherson, Chairman on behalf of the Committee on Health and Welfare, submitted the following report:

June 16, 2005

To the President and Members of the Senate:

I am directed by your Committee on Health and Welfare to submit the following report:

HOUSE CONCURRENT RESOLUTION NO. 1—

BY REPRESENTATIVE FARRAR

A CONCURRENT RESOLUTION

To amend the Department of Health and Hospitals, office of public health, rules on installer/maintenance provider qualifications and to direct the Louisiana Register to print the amendments in the Louisiana Administrative Code.

Reported with amendments.

HOUSE BILL NO. 440—

BY REPRESENTATIVE FAUCHEUX AND SENATOR MCPHERSON
AN ACT

To amend and reenact R.S. 37:3390.3(A)(introductory paragraph) and to enact R.S. 37:3390.6(F), relative to the Addictive Disorders Practice Act; to provide for the imposition and collection of fees; and to provide for related matters.

Reported favorably.

Respectfully submitted,
JOE MCPHERSON
Chairman

REPORT OF COMMITTEE ON**NATURAL RESOURCES**

Senator Malone, Chairman on behalf of the Committee on Natural Resources, submitted the following report:

June 16, 2005

To the President and Members of the Senate:

I am directed by your Committee on Natural Resources to submit the following report:

HOUSE CONCURRENT RESOLUTION NO. 132—

BY REPRESENTATIVE FANNIN

A CONCURRENT RESOLUTION

To urge and request the office of conservation, Department of Natural Resources, in cooperation with the Ground Water Resources Commission and the Ground Water Management Advisory Task Force, to develop a model by which to best educate the public in water conservation.

Reported favorably

HOUSE CONCURRENT RESOLUTION NO. 174—

BY REPRESENTATIVE ODINET

A CONCURRENT RESOLUTION

To urge and request the secretary of the U.S. Department of Commerce not to list the eastern oyster (*Crassostrea virginica*) under the Endangered Species Act of 1973.

Reported favorably

Respectfully submitted,
MAX T. MALONE
Chairman
NICK GAUTREAUX
Vice-Chairman

REPORT OF COMMITTEE ON**EDUCATION**

Senator Ullo, Chairman on behalf of the Committee on Education, submitted the following report:

June 16, 2006

To the President and Members of the Senate:

I am directed by your Committee on Education to submit the following report:

HOUSE CONCURRENT RESOLUTION NO. 39—

BY REPRESENTATIVES CROWE AND LABRUZZO

A CONCURRENT RESOLUTION

To express the support of the Legislature of Louisiana for the practice of prayer at the beginning of school board meetings, to recognize that such prayer is a protected act in accordance with the fundamental principles upon which the United States of America was founded, and to disapprove of a decision by the United States District Court for the Eastern District of Louisiana that ruled that the opening of meetings of the Tangipahoa Parish School Board with prayer is unconstitutional.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 112—

BY REPRESENTATIVE M. POWELL

A CONCURRENT RESOLUTION

To urge and request the Louisiana medical schools to consider requiring medical school students attending such institutions to participate in clinical rotations in rural areas of the state in order to encourage and promote expansion of the family physician workforce in these areas thereby affording better medical care to the citizens of areas of the state where there is a shortage of

physicians and other health care professionals, and to urge and request the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College to adopt appropriate policies providing for such rotations in the medical school programs under its jurisdiction and supervision.

Reported favorably.

HOUSE BILL NO. 429—

BY REPRESENTATIVES HONEY, BADON, BURRELL, K. CARTER, CRANE, CURTIS, DEWITT, FAUCHEUX, GRAY, JEFFERSON, MCDONALD, ODINET, AND M. POWELL

AN ACT

To amend and reenact R.S. 17:54(B)(1) and (C), relative to local public school superintendents; to provide relative to qualifications; to provide for the initial employment of a superintendent of schools by a city, parish, or other local public school board and for the employment of the superintendent for a subsequent term; to provide relative to written employment contracts for such purposes, including guidelines for the content of such contracts; to provide relative to superintendents who choose not to enter into subsequent contracts; to provide relative to termination of employment, including specifying grounds for such removal during the term of a contract, time lines, and guidelines for the giving of notice of termination, and the use of certain due process procedures; to provide for the negotiation and offering by a school board of a new contract at the expiration of an existing contract; to provide for exceptions; to provide for applicability; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 458—

BY REPRESENTATIVES DOWNS AND MCDONALD

AN ACT

To amend and reenact R.S. 17:416(B)(1)(b), relative to the suspension and expulsion of certain public school students found carrying or possessing a knife; to require a school principal to take certain disciplinary action under specified circumstances; to provide exceptions; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 796—

BY REPRESENTATIVE MORRELL

AN ACT

To amend and reenact Section 4 of Act No. 721 of the 2004 Regular Session of the Legislature of Louisiana; to provide relative to the effectiveness of such Act; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 797—

BY REPRESENTATIVES BEARD AND FAUCHEUX

AN ACT

To enact Subpart C of Part X of Chapter 26 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:3398.10 through 3398.14; to provide for the establishment of one or more film institutes; to provide for the powers, duties, functions, and governance of the institutes; to provide for an effective date; and to provide for related matters.

Reported favorably.

Respectfully submitted,
CHRIS ULLO
Chairman

REPORT OF COMMITTEE ON

LOCAL AND MUNICIPAL AFFAIRS

Senator Fields, Chairman on behalf of the Committee on Local and Municipal Affairs, submitted the following report:

June 16, 2005

To the President and Members of the Senate:

I am directed by your Committee on Local and Municipal Affairs to submit the following report:

HOUSE CONCURRENT RESOLUTION NO. 151—

BY REPRESENTATIVE MORRELL

A CONCURRENT RESOLUTION

To urge and request the New Orleans City Council to establish and enforce a moratorium on the construction or establishment of new hotels and motels and on the expansion of existing hotels and motels in the Downtown Development District and in the French Quarter of New Orleans.

Reported with amendments.

HOUSE BILL NO. 30—

BY REPRESENTATIVES JACK SMITH, BARROW, BAUDOIN, BAYLOR, DOVE, GLOVER, JEFFERSON, LAMBERT, MCDONALD, RITCHIE, ALEXANDER, BALDONE, BRUCE, BURRELL, R. CARTER, CAZAYOUX, CRANE, CRAVINS, DAMICO, DANIEL, DARTEZ, DOERGE, DORSEY, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FRITH, GREENE, E. GUILLORY, M. GUILLORY, HEBERT, HILL, HONEY, HUTTER, JACKSON, JOHNS, KATZ, KENNARD, KENNEY, KLECKLEY, LAFLEUR, LAFONTA, MCVEA, MONTGOMERY, ODINET, PIERRE, PITRE, M. POWELL, T. POWELL, RICHMOND, ROMERO, SALTER, SCALISE, SHEPHERD, SMILEY, GARY SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, WINSTON, AND WRIGHT

AN ACT

To amend and reenact R.S. 33:1981(C)(1) and 2201(C)(1), relative to financial security of survivors of firemen and law enforcement officers; to provide for payments to surviving spouses; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 154—

BY REPRESENTATIVE PITRE

AN ACT

To amend and reenact R.S. 33:4833, 4834, and 4835, relative to municipal ordinances; to prohibit certain municipalities from enacting ordinances forbidding fishermen or their employees from peddling in public places; to provide for regulations; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 160—

BY REPRESENTATIVE HONEY

AN ACT

To enact R.S. 33:9038, relative to tax increment financing; to prohibit the use of tax increment financing that involves a public school system without prior approval of the system; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 310—

BY REPRESENTATIVE LAFLEUR

AN ACT

To amend and reenact R.S. 33:4562.3(C), relative to the Evangeline-Ville Platte Recreation District; to provide with respect to the composition and method of appointment of members of the board of commissioners of the district; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 401—

BY REPRESENTATIVE TUCKER

AN ACT

To amend and reenact R.S. 33:2711.3 and 2711.7(C), relative to certain taxes in the city of New Orleans and in certain parishes; to delete the exemption of certain rooms from the hotel occupancy tax in New Orleans and in certain parishes; to define

certain terms; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 481—

BY REPRESENTATIVE ARNOLD

AN ACT

To amend and reenact R.S. 47:1925.1, 1925.2(A)(1), and 1925.3(A), to enact R.S. 47:1925.8, and to repeal R.S. 47:1925.2(A)(3), relative to the Board of Assessors for Orleans Parish; to provide for the financing of the Board of Assessors for Orleans Parish; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 542—

BY REPRESENTATIVES JOHNS, GEYMAN, E. GUILLORY, KLECKLEY, AND MORRIS AND SENATORS MOUNT AND THEUNISSEN

AN ACT

To amend and reenact R.S. 33:4574.1.1(A)(25) and 4574.11(B)(1), (C), and (E)(2) and to enact R.S. 33:4574.1.1(O), relative to the Southwest Louisiana Convention and Visitors Bureau; to authorize the governing authority of the bureau to increase the hotel occupancy tax; to provide relative to the use of certain proceeds resulting from the increase in the rate of the tax; to provide with respect to the tax on complimentary hotel rooms; to further provide with respect to the governing authority of the bureau and its membership; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 563—

BY REPRESENTATIVE GRAY

AN ACT

To enact R.S. 33:2013, relative to the city of New Orleans; to require the fire department of such city to adopt a written policy establishing a maximum age requirement for any person hired as a fire suppression employee of the department; to provide exceptions; to provide for such maximum age requirement; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 636—

BY REPRESENTATIVE DANIEL

AN ACT

To enact R.S. 33:225, relative to East Baton Rouge Parish; to provide relative to incorporated areas of the parish; to provide relative to the maintenance of roads, drainage, and utilities within such areas; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 665—

BY REPRESENTATIVE TUCKER

AN ACT

To amend and reenact R.S. 33:2740.27(I) and (J)(1) and to enact R.S. 33:2740.27(A)(3), (H)(4), and (N), relative to the parish of Orleans; to provide with respect to the Algiers Development District; to designate the district as a local redevelopment authority for federal military base realignment purposes; to provide relative to the powers and authority of the district, including ad valorem tax authority and the authority to incur debt and issue bonds; to authorize and provide for combining the design and construction phases of any project and to utilize the request for proposals process in such endeavors; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 742—

BY REPRESENTATIVES K. CARTER, GRAY, JEFFERSON, ARNOLD, BADON, BURNS, HEATON, HUTTER, MARCHAND, RICHMOND, SCALISE, SHEPHERD, AND WINSTON AND SENATOR DUPLESSIS

AN ACT

To enact Chapter 27-C of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9039.51 through 9039.66, and to repeal R.S. 36:109(M) and Part III of Chapter 6 of Title 46 of the Louisiana Revised Statutes of 1950, comprised of R.S. 46:811 through 813.1, relative to the Greater New Orleans Biosciences Economic Development District; to facilitate public and private research functions in the district; to create and provide for such district and its board of commissioners and their powers, duties, functions, and responsibilities; to repeal provisions providing for the Louisiana Biomedical Research and Development Park Commission; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 746—

BY REPRESENTATIVE CURTIS AND SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 33:9038.1(3) and to enact R.S. 33:9038.11; to provide with respect to tax increment financing in parishes having a population of not more than one hundred thirty thousand persons and not less than one hundred twenty thousand persons according to the most recent decennial federal census; to limit the purposes for which such tax increment financing may be used; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 826—

BY REPRESENTATIVE ERDEY

AN ACT

To enact R.S. 33:2740.62, relative to Livingston Parish; to authorize the governing authority of the parish to levy and collect a documentary transaction tax; to provide for the maximum amount that may be levied; to provide for penalties; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 829—

BY REPRESENTATIVE JACKSON

AN ACT

To enact Chapter 10 of Title 48 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 48:1451 through 1461, and to repeal R.S. 12:202.1(C), to create and provide for the Capital Area Transit System, which is to operate public transportation in East Baton Rouge Parish; to provide for the governing board of the system and its powers and duties; to provide for participation of other parishes in the public transportation system; to repeal the provisions of law relative to the existing public transportation system in East Baton Rouge Parish and to provide that the new entity is the successor of the existing entity; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 870—

BY REPRESENTATIVE GRAY

AN ACT

To enact Chapter 26-B of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9017.1, relative to the funding of juvenile facilities, programs, and services in the parish of Orleans; to provide for the imposition and collection of taxes and for the use thereof; to create and provide with respect to a special juvenile services financing district, including provisions for the district and its board of commissioners and their powers, duties, functions, and responsibilities; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
CLEO FIELDS
Chairman

**House Bills and Joint Resolutions
on Second Reading
Reported by Committees**

Senator Fields asked for and obtained a suspension of the rules to take up at this time the following House Bills and Joint Resolutions just reported by Committees.

HOUSE BILL NO. 30—

BY REPRESENTATIVES JACK SMITH, BARROW, BAUDOIN, BAYLOR, DOVE, GLOVER, JEFFERSON, LAMBERT, McDONALD, RITCHIE, ALEXANDER, BALDONE, BRUCE, BURRELL, R. CARTER, CAZAYOUX, CRANE, CRAVINS, DAMICO, DANIEL, DARTEZ, DOERGE, DORSEY, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FRITH, GREENE, E. GUILLORY, M. GUILLORY, HEBERT, HILL, HONEY, HUTTER, JACKSON, JOHNS, KATZ, KENNARD, KENNEY, KLECKLEY, LAFLEUR, LAFONTA, MCVEA, MONTGOMERY, ODINET, PIERRE, PITRE, M. POWELL, T. POWELL, RICHMOND, ROMERO, SALTER, SCALISE, SHEPHERD, SMILEY, GARY SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, WINSTON, AND WRIGHT

AN ACT

To amend and reenact R.S. 33:1981(C)(1) and 2201(C)(1), relative to financial security of survivors of firemen and law enforcement officers; to provide for payments to surviving spouses; and to provide for related matters.

Reported with amendments by the Committee on Local and Municipal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Reengrossed House Bill No. 30 by Representative Jack Smith

AMENDMENT NO. 1

On page 1, line 2, after "33:1981" and before "(C)" insert "(A) and"

AMENDMENT NO. 2

On page 1, line 6, after "33:1981" and before "(C)" insert "(A) and"

AMENDMENT NO. 3

On page 1, line 8, delete "parents,"

AMENDMENT NO. 4

On page 1, between lines 9 and 10 insert the following:

"A. It is hereby declared to be the public policy of this state, under its police power, to provide for the financial security of surviving spouses, ~~parents~~, and dependent children of firemen when firemen suffer death as a result of any injury arising out of and in the course of the performance of their official duties as firemen, or arising out of any activity while on or off duty in the protection of life or property or as provided in Paragraph (3) of Subsection C of this Section."

AMENDMENT NO. 5

On page 2, line 2, after "surviving" delete "parent or" and insert in lieu thereof: "child or children or."

AMENDMENT NO. 6

On page 2, delete line 3, in its entirety and insert the following:

"if not survived by a spouse nor a child or children, then the sum of two hundred thousand dollars shall be paid to the named beneficiary listed on the fireman's designation form or, if there is no beneficiary designation form at the time of the fireman's death, and no surviving spouse nor a child or children, then the sum of two hundred thousand dollars shall be paid to the fireman's estate. Each fireman shall complete a beneficiary designation form. In addition, if the"

AMENDMENT NO. 7

On page 2, line 10, delete "parents."

AMENDMENT NO. 8

On page 2, delete line 19, and insert the following:

"to the surviving child or children or, if not survived by a spouse nor a child or children, then the sum of two hundred thousand dollars shall be paid to the named beneficiary listed on the officer's beneficiary designation form or, if there is no designation form at the time of the officer's death, and no surviving spouse nor a child or children, then the sum of two hundred thousand dollars shall be paid to the officer's estate. Each officer shall complete a beneficiary designation form."

AMENDMENT NO. 9

On page 2, at the beginning of line 20, delete "survive."

On motion of Senator Fields, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 154—

BY REPRESENTATIVE PITRE

AN ACT

To amend and reenact R.S. 33:4833, 4834, and 4835, relative to municipal ordinances; to prohibit certain municipalities from enacting ordinances forbidding fishermen or their employees from peddling in public places; to provide for regulations; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 160—

BY REPRESENTATIVE HONEY

AN ACT

To enact R.S. 33:9038, relative to tax increment financing; to prohibit the use of tax increment financing that involves a public school system without prior approval of the system; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 310—

BY REPRESENTATIVE LAFLEUR

AN ACT

To amend and reenact R.S. 33:4562.3(C), relative to the Evangeline-Ville Platte Recreation District; to provide with respect to the composition and method of appointment of members of the board of commissioners of the district; and to provide for related matters.

Reported with amendments by the Committee on Local and Municipal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Reengrossed House Bill No. 310 by Representative LaFleur

AMENDMENT NO. 1

On page 1, line 4, after "district;" insert "to provide for an effective date;"

AMENDMENT NO. 2

On page 2, delete line 6 and insert in lieu thereof:

"* * *

Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the

time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

On motion of Senator Fields, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 401—

BY REPRESENTATIVE TUCKER

AN ACT

To amend and reenact R.S. 33:2711.3 and 2711.7(C), relative to certain taxes in the city of New Orleans and in certain parishes; to delete the exemption of certain rooms from the hotel occupancy tax in New Orleans and in certain parishes; to define certain terms; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 429—

BY REPRESENTATIVES HONEY, BADON, BURRELL, K. CARTER, CRANE, CURTIS, DEWITT, FAUCHEUX, GRAY, JEFFERSON, MCDONALD, ODINET, AND M. POWELL

AN ACT

To amend and reenact R.S. 17:54(B)(1) and (C), relative to local public school superintendents; to provide relative to qualifications; to provide for the initial employment of a superintendent of schools by a city, parish, or other local public school board and for the employment of the superintendent for a subsequent term; to provide relative to written employment contracts for such purposes, including guidelines for the content of such contracts; to provide relative to superintendents who choose not to enter into subsequent contracts; to provide relative to termination of employment, including specifying grounds for such removal during the term of a contract, time lines, and guidelines for the giving of notice of termination, and the use of certain due process procedures; to provide for the negotiation and offering by a school board of a new contract at the expiration of an existing contract; to provide for exceptions; to provide for applicability; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Education. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 440—

BY REPRESENTATIVE FAUCHEUX AND SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 37:3390.3(A)(introductory paragraph) and to enact R.S. 37:3390.6(F), relative to the Addictive Disorders Practice Act; to provide for the imposition and collection of fees; and to provide for related matters.

Reported favorably by the Committee on Health and Welfare. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 458—

BY REPRESENTATIVES DOWNS AND MCDONALD

AN ACT

To amend and reenact R.S. 17:416(B)(1)(b), relative to the suspension and expulsion of certain public school students found carrying or possessing a knife; to require a school principal to take certain disciplinary action under specified circumstances; to provide exceptions; and to provide for related matters.

Reported favorably by the Committee on Education. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 481—

BY REPRESENTATIVE ARNOLD

AN ACT

To amend and reenact R.S. 47:1925.1, 1925.2(A)(1), and 1925.3(A), to enact R.S. 47:1925.8, and to repeal R.S. 47:1925.2(A)(3), relative to the Board of Assessors for Orleans Parish; to provide for the financing of the Board of Assessors for Orleans Parish; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 542—

BY REPRESENTATIVES JOHNS, GEYMAN, E. GUILLORY, KLECKLEY, AND MORRISH AND SENATORS MOUNT AND THEUNISSEN

AN ACT

To amend and reenact R.S. 33:4574.1.1(A)(25) and 4574.11(B)(1), (C), and (E)(2) and to enact R.S. 33:4574.1.1(O), relative to the Southwest Louisiana Convention and Visitors Bureau; to authorize the governing authority of the bureau to increase the hotel occupancy tax; to provide relative to the use of certain proceeds resulting from the increase in the rate of the tax; to provide with respect to the tax on complimentary hotel rooms; to further provide with respect to the governing authority of the bureau and its membership; and to provide for related matters.

Reported with amendments by the Committee on Local and Municipal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Reengrossed House Bill No. 542 by Representative Johns

AMENDMENT NO. 1

On page 1, line 3, after "R.S. 33:4574.1.1(O)" insert "(and (P))"

AMENDMENT NO. 2

On page 1, line 14, after "R.S. 33:4574.1.1(O)" delete "is" and insert "and (P) are"

AMENDMENT NO. 3

On page 2, between lines 9 and 10 insert the following:

P. If the Southwest Louisiana Convention and Visitors Bureau levies the tax authorized in Paragraph (A)(25) of this Section and/or the tax authorized by R.S. 33:4574.11(E)(2)(b), an amount equal to twenty-five thousand dollars annually of the proceeds of the tax collected from the company which has a license to conduct slot machine gaming at a pari-mutuel live racing facility pursuant to Chapter 7 of Title 27 of the Louisiana Revised Statutes of 1950, R.S. 27:351 et seq. shall be provided by the Southwest Louisiana Convention and Visitors Bureau quarterly to the Beauregard Parish Covered Arena Authority provided such funds are used for maintenance or to promote equine activities for the purpose of attracting tourists to Beauregard Parish.

On motion of Senator Fields, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 563—

BY REPRESENTATIVE GRAY

AN ACT

To enact R.S. 33:2013, relative to the city of New Orleans; to require the fire department of such city to adopt a written policy establishing a maximum age requirement for any person hired as a fire suppression employee of the department; to provide

exceptions; to provide for such maximum age requirement; and to provide for related matters.

Reported with amendments by the Committee on Local and Municipal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Engrossed House Bill No. 563 by Representative Gray

AMENDMENT NO. 1

On page 1, at the beginning of line 17 change "thirty years" to "thirty-five years"

On motion of Senator Fields, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 636—

BY REPRESENTATIVE DANIEL

AN ACT

To enact R.S. 33:225, relative to East Baton Rouge Parish; to provide relative to incorporated areas of the parish; to provide relative to the maintenance of roads, drainage, and utilities within such areas; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 665—

BY REPRESENTATIVE TUCKER

AN ACT

To amend and reenact R.S. 33:2740.27(I) and (J)(1) and to enact R.S. 33:2740.27(A)(3), (H)(4), and (N), relative to the parish of Orleans; to provide with respect to the Algiers Development District; to designate the district as a local redevelopment authority for federal military base realignment purposes; to provide relative to the powers and authority of the district, including ad valorem tax authority and the authority to incur debt and issue bonds; to authorize and provide for combining the design and construction phases of any project and to utilize the request for proposals process in such endeavors; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 742—

BY REPRESENTATIVES K. CARTER, GRAY, JEFFERSON, ARNOLD, BADON, BURNS, HEATON, HUTTER, MARCHAND, RICHMOND, SCALISE, SHEPHERD, AND WINSTON AND SENATOR DUPLESSIS

AN ACT

To enact Chapter 27-C of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9039.51 through 9039.66, and to repeal R.S. 36:109(M) and Part III of Chapter 6 of Title 46 of the Louisiana Revised Statutes of 1950, comprised of R.S. 46:811 through 813.1, relative to the Greater New Orleans Biosciences Economic Development District; to facilitate public and private research functions in the district; to create and provide for such district and its board of commissioners and their powers, duties, functions, and responsibilities; to repeal provisions providing for the Louisiana Biomedical Research and Development Park Commission; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 746—

BY REPRESENTATIVE CURTIS AND SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 33:9038.1(3) and to enact R.S. 33:9038.11; to provide with respect to tax increment financing in parishes having a population of not more than one hundred thirty thousand persons and not less than one hundred twenty thousand persons according to the most recent decennial federal census; to limit the purposes for which such tax increment financing may be used; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 796—

BY REPRESENTATIVE MORRELL

AN ACT

To amend and reenact Section 4 of Act No. 721 of the 2004 Regular Session of the Legislature of Louisiana; to provide relative to the effectiveness of such Act; and to provide for related matters.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Engrossed House Bill No. 796 by Representative Morrell

AMENDMENT NO. 1

On page 1, line 3, after "Act;" insert "to provide for certain limitations on property transfers;"

AMENDMENT NO. 2

On page 1, line 8, after "Section 4." insert "(A)"

AMENDMENT NO. 3

On page 1, between lines 13 and 14, insert the following:

"B.(1) In the case that full ownership and possession of such property is transferred to the state, neither the state nor any agent of the state may subsequently transfer the ownership and/or possession of such property unless authorized by a law enacted subsequent to the transfer of the ownership and possession of such property to the state.

(2) Neither ownership or possession of such property shall be transferred to any local government or local governmental entity unless such act of transfer fully guarantees and the transferee local government or local governmental entity fully guarantees that the state retains no obligation of any kind under any circumstances with regard to such property and that the local government or local governmental entity assumes full obligation for the property and any obligation regarding such property and agrees, without reservation, to hold the state harmless from any obligation of any kind."

On motion of Senator Ullo, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 797—

BY REPRESENTATIVES BEARD AND FAUCHEUX

AN ACT

To enact Subpart C of Part X of Chapter 26 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:3398.10 through 3398.14; to provide for the establishment of one or more film institutes; to provide for the powers, duties, functions, and governance of the institutes; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Education. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

June 16, 2005

HOUSE BILL NO. 826—

BY REPRESENTATIVE ERDEY

AN ACT

To enact R.S. 33:2740.62, relative to Livingston Parish; to authorize the governing authority of the parish to levy and collect a documentary transaction tax; to provide for the maximum amount that may be levied; to provide for penalties; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 829—

BY REPRESENTATIVE JACKSON

AN ACT

To enact Chapter 10 of Title 48 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 48:1451 through 1461, and to repeal R.S. 12:202.1(C), to create and provide for the Capital Area Transit System, which is to operate public transportation in East Baton Rouge Parish; to provide for the governing board of the system and its powers and duties; to provide for participation of other parishes in the public transportation system; to repeal the provisions of law relative to the existing public transportation system in East Baton Rouge Parish and to provide that the new entity is the successor of the existing entity; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 870—

BY REPRESENTATIVE GRAY

AN ACT

To enact Chapter 26-B of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9017.1, relative to the funding of juvenile facilities, programs, and services in the parish of Orleans; to provide for the imposition and collection of taxes and for the use thereof; to create and provide with respect to a special juvenile services financing district, including provisions for the district and its board of commissioners and their powers, duties, functions, and responsibilities; and to provide for related matters.

Reported with amendments by the Committee on Local and Municipal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Engrossed House Bill No. 870 by Representative Gray

AMENDMENT NO.1

On page 6, line 7, after "up to" and before "mills" delete "fifty" and insert "ten"

On motion of Senator Fields, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

CONFERENCE COMMITTEE REPORT House Bill No. 17 By Representative T. Powell

June 16, 2005

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No.17 by Representative T. Powell, recommend the following concerning the Engrossed bill:

1. That the set of Senate Floor Amendments proposed by Senator N. Gautreaux and adopted by the Senate on June 7, 2005, be rejected.

Representatives:
Tank Powell
Daniel R. Martiny
Harold Ritchie

Respectfully submitted,
Senators
Joel T. Chaisson II
Nick Gautreaux
Tom Schedler

Rules Suspended

Senator Chaisson asked for and obtained a suspension of the rules for the purpose of considering the Conference Committee Report. On motion of Senator Chaisson, a vote was taken on the adoption of the report.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Michot
Adley	Fields	Mount
Amedee	Fontenot	Murray
Bajoie	Gautreaux B	Nevers
Barham	Gautreaux N	Romero
Boasso	Heitmeier	Schedler
Cain	Hollis	Shepherd
Chaisson	Jackson	Smith
Cheek	Jones	Theunissen
Dardenne	Malone	Ullo
Duplessis	Marionneaux	
Dupre	McPherson	

Total - 34

NAYS

Total - 0

ABSENT

Broome	Kostelka
Cravins	Lentini

Total - 4

The Chair declared the Conference Committee Report was adopted. Senator Chaisson moved to reconsider the vote by which the report was adopted and laid the motion on the table.

CONFERENCE COMMITTEE REPORT House Bill No. 272 By Representative Baldone

June 16, 2005

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No.272 by Representative Baldone, recommend the following concerning the Engrossed bill:

1. That Senate Floor Amendments Nos. 1, 2, and 5 of the set of amendments proposed by Senator Dupre and adopted by the Senate on May 10, 2005, be adopted.

2. That Senate Floor Amendments Nos. 3 and 4 of the set of amendments proposed by Senator Dupre and adopted by the Senate on May 10, 2005, be rejected.

3. That the following amendments to the engrossed bill be adopted:

AMENDMENT NO. 1

On page 1, line 12, after "existed" and before "be" change "shall" to "may"

AMENDMENT NO. 2

On page 1, line 13, after "dollars" and before "imprisoned" change the comma to "and shall be"

Representatives:
Damon J. Baldone
Daniel R. Martiny
Gordon Dove

Respectfully submitted,
Senators
Reggie P. Dupre, Jr.
Joel T. Chaisson II

Rules Suspended

Senator Dupre asked for and obtained a suspension of the rules for the purpose of considering the Conference Committee Report. On motion of Senator Dupre, a vote was taken on the adoption of the report.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	McPherson
Adley	Ellington	Michot
Amedee	Fields	Mount
Bajoie	Fontenot	Murray
Barham	Gautreaux B	Nevers
Boasso	Gautreaux N	Romero
Broome	Heitmeier	Schedler
Cain	Jackson	Shepherd
Chaisson	Jones	Smith
Cheek	Kostelka	Theunissen
Dardenne	Malone	Ullo
Duplessis	Marionneaux	
Total - 35		

NAYS

Total - 0

ABSENT

Cravins	Hollis	Lentini
Total - 3		

The Chair declared the Conference Committee Report was adopted. Senator Dupre moved to reconsider the vote by which the report was adopted and laid the motion on the table.

Rules Suspended

Senator Ellington asked for and obtained a suspension of the rules for the purpose of hearing House Bill No. 285 in the Committee on Transportation, Highways and Public Works without the required 24 hour notice.

Rules Suspended

Senator Hines asked for and obtained a suspension of the rules for the purpose of hearing House Bill No. 623 in the Committee on Judiciary B without the required 24 hour notice.

Recess

On motion of Senator Ellington, the Senate took a recess until 2:30 o'clock P.M.

After Recess

The Senate was called to order at 2:30 o'clock P.M. by the President of the Senate.

ROLL CALL

The roll being called, the following members answered to their names:

PRESENT

Mr. President	Dupre	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Romero
Cain	Hollis	Schedler
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Duplessis	Malone	
Total - 38		

ABSENT

Total - 0

The President of the Senate announced there were 38 Senators present and a quorum.

Senate Business Resumed**Rules Suspended**

Senator Marionneaux asked for and obtained a suspension of the rules for the purpose of taking up at this time.

**Senate Resolutions
to be Adopted, Subject to Call**

The following Senate Resolutions to be adopted, subject to call, were taken up and acted upon as follows:

Called from the Calendar

Senator Marionneaux asked that Senate Resolution No. 54 be called from the Calendar at this time.

SENATE RESOLUTION NO. 54—

BY SENATOR MARIONNEAUX

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Army National Guard Private First Class Kristian E. Parker upon his death in the Persian Gulf Theater of Operations.

On motion of Senator Marionneaux, the resolution was read by title and adopted.

Regular Order of the Day Resumed**Reconsideration**

On motion of Senator McPherson, pursuant to the previous notice given, the vote by which the following bill failed to pass on Wednesday, June 15, 2005, was reconsidered.

HOUSE BILL NO. 121—

BY REPRESENTATIVE ODINET

AN ACT

To amend and reenact R.S. 40:2010.7 and to enact R.S. 40:2010.11, relative to nursing home and long-term care facility residents and patients; to provide for mandatory criminal background checks on those seeking admittance to a nursing home or long-term care residential facility; and to provide for related matters.

On motion of Senator McPherson, the bill was read by title and returned to the Calendar, subject to call.

Special Order of the Day

The following House Bill on Third Reading and Final Passage, which was made Special Order of the Day No. 1, was taken up and acted upon as follows:

HOUSE BILL NO. 654—

BY REPRESENTATIVES MONTGOMERY, ALARIO, GLOVER, HOPKINS, HUNTER, SCALISE, JANE SMITH, THOMPSON, ALEXANDER, ARNOLD, BALDONE, BAUDON, BAYLOR, BRUCE, BURRELL, CAZAYOUX, CRAVINS, CURTIS, DAMICO, DANIEL, DARTEZ, DOERGE, DORSEY, DOVE, DOWNS, DURAND, FANNIN, FARRAR, FAUCHEUX, FRITH, GALLOT, HEBERT, HILL, JACKSON, JEFFERSON, JOHNS, KATZ, McDONALD, PIERRE, PINAC, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROBIDEAUX, ROMERO, SALTER, SHEPHERD, GARY SMITH, JACK SMITH, ST. GERMAIN, STRAIN, TOOMY, TOWNSEND, TRAHAN, WADDELL, AND WALKER AND SENATORS ADLEY, BAJOE, BARHAM, BOASSO, BROOME, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENE, DUPLESSIS, DUPRE, ELLINGTON, FONTENOT, B. GAUTREAUX, HINES, HOLLIS, JACKSON, JONES, LENTINI, MALONE, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, ROMERO, SCHEDLER, SMITH, THEUNISSEN, AND ULLO

AN ACT

To amend and reenact R.S. 48:2072(B), 2073(7) through (19), 2077(17), (18), and (23), and 2082(B) through (O) and to enact R.S. 9:165(C) and R.S. 48:2073(20), 2077(24), and 2082(P), relative to authorizing the Louisiana Transportation Authority to issue revenue bonds secured by unclaimed property receipts; to create the Unclaimed Property Fund; to provide for the deposit of monies into the Unclaimed Property Fund and the use of those monies; to create the Unclaimed Property Leverage Fund; to provide for the deposit of monies into the Unclaimed Property Leverage Fund and the use of those monies; to authorize the state treasurer to transfer the monies in the Unclaimed Property Leverage Fund to the Louisiana Transportation Authority; to provide relative to unclaimed property bonds; and to provide for related matters.

Motion

Senator Ellington moved the previous question on the entire subject matter.

Without objection, so ordered.

The bill was read by title. Senator Jackson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	McPherson
Adley	Ellington	Michot
Amedee	Fontenot	Mount
Bajoie	Gautreaux B	Murray
Barham	Gautreaux N	Nevers
Boasso	Heitmeier	Romero
Broome	Hollis	Schedler
Cain	Jackson	Shepherd

Chaisson
Cheek
Cravins
Dardenne
Duplessis
Total - 37

Jones
Kostelka
Lentini
Malone
Marionneaux

NAYS

Fields
Total - 1

ABSENT

Total - 0

The Chair declared the bill was passed. The title was read and adopted. Senator Jackson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Senate Bills and Joint Resolutions Returned from the House of Representatives with Amendments

The following Senate Bills and Joint Resolutions returned from the House of Representatives with amendments were taken up and acted upon as follows:

SENATE BILL NO. 84—

BY SENATORS SMITH AND ADLEY AND REPRESENTATIVE SALTER
AN ACT

To amend and reenact R.S. 17:1871(A)(2), relative to membership of the Board of Supervisors of Community and Technical Colleges; to provide relative to terms and qualifications of appointees to the board; to provide with regard to experience as a condition of appointment; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Education to Engrossed Senate Bill No. 84 by Senator Smith

AMENDMENT NO. 1

On page 2, line 1, after "July 1," and before "and" change "2005" to "2005."

AMENDMENT NO. 2

On page 2 line 4, after "July 1," and before "and" change "2007" to "2007."

AMENDMENT NO. 3

On page 2, at the end of line 6, change "2009" to "2009."

Senator Smith moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Romero
Cain	Hollis	Schedler
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen

June 16, 2005

Dardenne
Duplessis
Total - 38

Lentini
Malone

Ullo

NAYS

Total - 0

ABSENT

Total - 0

The Chair declared the amendments proposed by the House were concurred in. Senator Smith moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 90—

BY SENATORS NEVERS AND SCHEDLER
AN ACT

To enact Subpart B-35 of Part IV of Chapter 1 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:130.701 through 130.709, relative to special districts; to create the Tangipahoa Parish Economic Development District; to provide for a board of commissioners of the district and for the district's powers, duties, and limitations; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Reengrossed Senate Bill No. 90 by Senator Nevers

AMENDMENT NO. 1

On page 4, at the end of line 23, add "The district shall expropriate property pursuant to the provisions of this Paragraph only if approved by a majority vote of the governing authority of Tangipahoa Parish."

AMENDMENT NO. 2

On page 6, at the end of line 26, add "The district shall expropriate property pursuant to the provisions of this Paragraph only if approved by a majority vote of the governing authority of Tangipahoa Parish."

Senator Nevers moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Adley
Amedee
Bajoie
Barham
Boasso
Broome
Cain
Chaisson
Cheek
Cravins
Dardenne
Duplessis
Total - 38

Dupre
Ellington
Fields
Fontenot
Gautreaux B
Gautreaux N
Heitmeier
Hollis
Jackson
Jones
Kostelka
Lentini
Malone

Marionneaux
McPherson
Michot
Mount
Murray
Nevers
Romero
Schedler
Shepherd
Smith
Theunissen
Ullo

NAYS

Total - 0

ABSENT

Total - 0

The Chair declared the amendments proposed by the House were concurred in. Senator Nevers moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 108—

BY SENATOR ADLEY

AN ACT

To amend and reenact R.S. 47:1705(B), relative to information provided regarding millage rates; to require certain notice to the public in any year in which a tax recipient body intends to consider the levy of additional or increased millage rates without voter approval; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Ways and Means to Reengrossed Senate Bill No. 108 by Senator Adley

AMENDMENT NO. 1

On page 2, line 29, after "journal" delete the remainder of the line and insert "at a charge not in excess of the rates assessed and charged for regular commercial advertising."

AMENDMENT NO. 2

On page 3, delete line 1 in its entirety

Senator Adley moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Adley
Amedee
Bajoie
Barham
Boasso
Broome
Cain
Chaisson
Cheek
Cravins
Dardenne
Duplessis
Total - 38

Dupre
Ellington
Fields
Fontenot
Gautreaux B
Gautreaux N
Heitmeier
Hollis
Jackson
Jones
Kostelka
Lentini
Malone

Marionneaux
McPherson
Michot
Mount
Murray
Nevers
Romero
Schedler
Shepherd
Smith
Theunissen
Ullo

NAYS

Total - 0

ABSENT

Total - 0

The Chair declared the amendments proposed by the House were concurred in. Senator Adley moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 118—

BY SENATORS BARHAM, CHEEK, CRAVINS, LENTINI, MURRAY AND NEVERS

AN ACT

To amend and reenact R.S. 29:406(A) and (C) and 410(A)(introductory paragraph) and (A)(3), (E)(1)(introductory paragraph), (E)(1)(c) and (d), (E)(2)(a), (E)(3), and (F)(1)(introductory paragraph), and (I), and to enact R.S. 29:410(E)(4), relative to the Military Service Relief Act; to provide with respect to certain rights for employees who are in

the uniformed services and called to active duty and who wish to return to positions of employment held prior to active duty service; to provide with respect to notification and accrual and entitlement to vacation leave; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 118 by Senator Barham

AMENDMENT NO. 1

On page 3, line 27, change "**Paragraph**" to "**Subsection**"

Senator Barham moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Romero
Cain	Hollis	Schedler
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Duplessis	Malone	
Total - 38		

NAYS

Total - 0

ABSENT

Total - 0

The Chair declared the amendments proposed by the House were concurred in. Senator Barham moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 132—

BY SENATOR MCPHERSON

AN ACT

To enact Part XIV of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:366.1 through 366.3, 366.5, and 366.9, relative to providing for accountability for state resources that are obligated, dedicated, or otherwise are committed to or are necessary to the confection of agreements with private persons relative to the interests of the state; to provide purposes and definition; to provide for the powers and duties of the commissioner of administration; to provide for the powers and duties of the attorney general; to provide for the powers and duties of the Joint Legislative Committee on the Budget and its litigation subcommittee; to authorize executive sessions under certain circumstances; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Appropriations to Reengrossed Senate Bill No. 132 by Senator McPherson

AMENDMENT NO. 1

On page 2, line 8, after "entered into" delete the remainder of the line and insert "pursuant to a public purpose or to ensure"

Senator McPherson moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Romero
Cain	Hollis	Schedler
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Duplessis	Malone	
Total - 38		

NAYS

Total - 0

ABSENT

Total - 0

The Chair declared the amendments proposed by the House were concurred in. Senator McPherson moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 135—

BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 11:471(A) and to enact R.S. 11:441(G), relative to Louisiana State Employees' Retirement System; to provide with respect to survivors benefits; to provide with respect to eligibility for retirement for new members; to require new members to have ten years of service at age sixty to be eligible for retirement; to provide for an effective date; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Retirement to Engrossed Senate Bill No. 135 by Senator Dardenne

AMENDMENT NO. 1

On page 1, line 2, after "R.S." and before "relative to", delete "11:471(A) and to enact R.S. 11:441(G)," and insert in lieu thereof "11:62(5)(e), 231(C), 403(introductory paragraph) and (5), 429, 441(A), 444(A)(1)(a), and 461(B)."

AMENDMENT NO. 2

On page 1, line 3, after "System;" delete the remainder of the line

AMENDMENT NO. 3

On page 1, line 4, after "members;" and before "to require" insert "to provide for contributions; to provide for definitions;"

AMENDMENT NO. 4

On page 1, line 5, after "retirement;" and before "to" insert "to provide relative to purchasing service credit for eligibility; to provide for benefit computation;"

AMENDMENT NO. 5

On page 1, line 9, after "R.S." delete "11:471(A) is" and insert in lieu thereof "11:62(5)(e), 231(C), 403(introductory paragraph) and (5), 429, 441(A), 444(A)(1)(a), and 461(B) are"

AMENDMENT NO. 6

On page 1, line 9, after "reenacted" delete the remainder of the line and at the beginning of line 10 delete "hereby enacted"

AMENDMENT NO. 7

On page 1, between lines 10 and 11 insert the following:

"§62. Employee contribution rates established

Employee contributions to state and statewide public retirement systems shall be paid at the following rates:

(5) Louisiana State Employees' Retirement System:

(e) All others:

(i) Hired on or before December 31, 2005 - 7.5%.

(ii) Hired on or after January 1, 2006 - 7.0%.

§231. Average compensation

C.(1) This Section shall not apply to members of the State Police Pension and Retirement System who become members on or before September 8, 1978, but it shall apply to all persons who become members of the State Police Pension and Retirement System on or after September 9, 1978.

(2) This Section shall not apply to members of the Louisiana State Employees' Retirement System whose first employment making them eligible for system membership began on or after January 1, 2006, or to any person who receives an additional benefit pursuant to R.S. 11:557, 582, or 602 or R.S. 24:36.

§403. Definitions

The following words and phrases used in this Chapter, unless a different meaning is clearly required by the context, shall have the following meanings, unless a different meaning is clearly required by the context:

(5)(a) "Average compensation", for a member whose first employment making him eligible for membership in the system began on or before December 31, 2005, and for any person who receives an additional benefit pursuant to R.S. 11:557, 582, or 602 or R.S. 24:36, means the average annual earned compensation of a state employee for the thirty-six highest months of successive employment, or for the highest thirty-six successive joined months of employment where interruption of service occurred; however, average compensation for part-time employees who do not use thirty-six months of full-time employment for average compensation purposes shall be based on the base pay the part-time employee would have received had he been employed on a full-time basis.

(b)(i) "Average compensation", for a member whose first employment making him eligible for membership in the system began on or after January 1, 2006, and subject to the limitations provided in this Subparagraph, means the average annual earned compensation of a state employee for the sixty highest months of successive employment or for the highest sixty successive joined months of employment where interruption of service occurred; however, average compensation for part-time employees who do not use sixty months of full-time employment for average compensation purposes shall be based on the base pay the part-time employee would have received had he been employed on a full-time basis.

(ii) The earnings to be considered for the thirteenth through the twenty-fourth month shall not exceed one hundred twenty-five percent of the earnings of the first through the twelfth month. The earnings to be considered for the twenty-fifth through the thirty-sixth month shall not exceed one hundred twenty-five percent of the earnings of the thirteenth through the twenty-fourth month. The

earnings to be considered for the thirty-seventh through the forty-eighth month shall not exceed one hundred twenty-five percent of the earnings of the twenty-fifth through the thirty-sixth month. The earnings for the final twelve months shall not exceed one hundred twenty-five percent of the earnings of the thirty-seventh through the forty-eighth month. The limitations on the computation of average compensation contained in this Item shall not apply to any twelve-month period during which compensation increased by more than twenty-five percent over the previous twelve-month period solely because of an increase in compensation by a uniform systemwide increase adopted by the state department of civil service and approved by the governor or because of a pay adjustment enacted by the legislature.

(iii) The provisions of this Subparagraph shall not apply to any person who receives an additional benefit pursuant to R.S. 11:557, 582, or 602 or R.S. 24:36.

§429. Purchase of service credit

A. Notwithstanding any other provision of law to the contrary, any member of the system who has credit in the system for at least one year of service shall be eligible to obtain credit for up to five years of service credit in one-year increments ~~or as provided in Subsection B of this Section~~; provided that he shall apply to the system for such credit on or before June 30, 2005, and pay to the system by June 30, 2006, the greater of the amount calculated in accordance with the actuarial cost provisions of R.S. 11:158 or the employee and employer contributions plus interest based on the member's current salary, which totally offsets the increase in accrued liability of the system resulting from the receipt of the credit by the member. The amount to be paid shall be paid in one lump sum, and no service credit shall be given to the member until or unless the amount is paid in full.

B. ~~Any person who applies to purchase service credit under the provisions of this Section on or before December 31, 2004, may purchase such service credit in one-month increments.~~ Notwithstanding any other provision of law to the contrary, any member of the system who has credit in the system for at least five years of service shall be eligible to obtain credit for up to five years of service credit in one-year increments provided that he shall apply to the system for such credit and pay to the system the greater of the amount calculated in accordance with the actuarial cost provisions of R.S. 11:158 or the employee and employer contributions plus interest based on the member's current salary, which totally offsets the increase in accrued liability of the system resulting from the receipt of the credit by the member. The amount to be paid shall be paid in one lump sum, and no service credit shall be given to the member until or unless the amount is paid in full. Any credit purchased pursuant to this Subsection shall be used for calculation of benefits only and shall not be used for purposes of attaining eligibility for retirement.

AMENDMENT NO. 8

On page 1, delete line 12 in its entirety and insert in lieu thereof the following:

"A.(1) Any member hired on or before December 31, 2005, shall be eligible for retirement if he has:

(1) (a) Thirty years or more of service, at any age.

(2) (b) Twenty-five years or more of service, at age fifty-five or thereafter.

(3) (c) Ten years or more of service, at age sixty or thereafter.

(4) (d) Twenty years of service credit at any age, exclusive of military service and unused annual and sick leave, but any person retiring under this Paragraph Subparagraph shall have his benefit, inclusive of military service credit and allowable unused annual and sick leave, actuarially reduced from the earliest age that he would normally become eligible for a regular retirement benefit under Paragraph (1), (2), or (3) Subparagraph (a), (b), or (c) of this Subsection; Paragraph if he had continued in service to that age. Any employee who elects to retire under the provisions of this Paragraph Subparagraph shall not be eligible to participate in the Deferred Retirement Option Plan provided by R.S. 11:447 or the Initial Benefit Option provided by R.S. 11:446(A)(5).

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AMENDMENT NO. 9

On page 1, at the beginning of line 13, change "G." to "(2)"

AMENDMENT NO. 10

On page 1, line 13, after "hired" and before "shall" delete "after July 1, 2005" and insert in lieu thereof "on or after January 1, 2006."

AMENDMENT NO. 11

On page 1, delete lines 16 and 17 in their entirety and on page 2, delete lines 1 through 8 in their entirety and insert in lieu thereof the following:

§444. Computation of retirement benefit

A.(1)(a)(i) A member who retires effective on or after July 1, 1973, ~~and thereafter~~ and whose first date of employment making him eligible for system membership was on or before December 31, 2005, or who receives an additional benefit pursuant to R.S. 11:557 or R.S. 24:36, shall receive a maximum retirement allowance equal to two and one-half percent of average compensation, as determined under R.S. 11:231, for every year of creditable service, plus three hundred dollars.

(ii) A member who retires whose first date of employment making him eligible for system membership was on or after January 1, 2006, shall receive a maximum retirement allowance equal to two percent of average compensation for every year of creditable service. The provisions of this Item shall not apply to any person who receives an additional benefit pursuant to R.S. 11:557 or R.S. 24:36.

§461. Eligibility; certification

B. The board of trustees shall award disability benefits to eligible members who have been officially certified as disabled by the State Medical Disability Board. The disability benefit shall be determined as follows:

(1) ~~★~~ Except as otherwise provided in this Section, a member shall receive a maximum disability retirement benefit which shall be equivalent to the regular retirement formula without reduction by reason of age.

(2) Subject to the appropriation of funds for this purpose, a ~~correction~~ corrections officer, probation or parole officer, or a security officer of the Louisiana Department of Public Safety and Corrections who becomes disabled solely as a result of disabilities sustained in the official performance of official duties of a hazardous nature shall receive a maximum disability benefit of sixty percent of average compensation. The agency shall certify that the disability was sustained while the member was performing official duties while on active status and the disability must be certified by a physician on the State Medical Disability Board.

(3)(a) ~~The~~ For any person whose employment first making him eligible for membership in the system occurred on or before December 31, 2005, or who has attained the age of sixty regardless of hire date, or who receives an additional benefit pursuant to R.S. 11:557 or R.S. 24:36, the disability retiree may retire under any of the regular retirement plans which applies to him.

(b) Any person who has not attained the age of sixty and whose employment first making him eligible for membership in the system occurred on or after January 1, 2006, shall receive a disability benefit equal to one and eight-tenths percent of average compensation for every year of creditable service. When the disability retiree attains the age of sixty, he shall receive his regular retirement benefit upon making application therefor to the board. The provisions of this Subparagraph shall not apply to any person who receives an additional benefit pursuant to R.S. 11:557 or R.S. 24:36.

(4) Selection of retirement option need not be made when application is filed. Selection may be made after the applicant receives his disability retirement estimate. Accumulated annual leave for which payment cannot be made upon retirement and unused sick leave accumulated upon retirement shall be credited to the extension of service in the computation of disability retirement benefits.

AMENDMENT NO. 12

On page 2, line 9, after "Section 2." delete the remainder of the line and delete lines 10 through 13 in their entirety and insert in lieu thereof the following:

31st DAY'S PROCEEDINGS

" This Act shall become effective on July 1, 2005; if vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on July 1, 2005, or on the day following such approval by the legislature, whichever is later."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Schneider to Engrossed Senate Bill No. 135 by Senator Dardenne

AMENDMENT NO. 1

In House Committee Amendment No. 7, proposed by the House Committee on Retirement and adopted by the House of Representatives on June 2, 2005, on page 2, line 31, change "twenty-five" to "fifteen"

AMENDMENT NO. 2

In House Committee Amendment No. 7, proposed by the House Committee on Retirement and adopted by the House of Representatives on June 2, 2005, on page 2, line 33, change "twenty-five" to "fifteen"

AMENDMENT NO. 3

In House Committee Amendment No. 7, proposed by the House Committee on Retirement and adopted by the House of Representatives on June 2, 2005, on page 2, line 36 change "twenty-five" to "fifteen"

AMENDMENT NO. 4

In House Committee Amendment No. 7, proposed by the House Committee on Retirement and adopted by the House of Representatives on June 2, 2005, on page 2, line 38, change "twenty-five" to "fifteen"

AMENDMENT NO. 5

In House Committee Amendment No. 7, proposed by the House Committee on Retirement and adopted by the House of Representatives on June 2, 2005, on page 2, line 41, change "twenty-five" to "fifteen"

Senator Dardenne moved to reject the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	McPherson
Adley	Ellington	Michot
Amedee	Fields	Mount
Bajoie	Fontenot	Murray
Barham	Gautreaux B	Nevers
Boasso	Gautreaux N	Romero
Broome	Heitmeier	Schedler
Cain	Hollis	Shepherd
Chaisson	Jackson	Smith
Cheek	Jones	Theunissen
Cravins	Kostelka	Ullo
Dardenne	Lentini	
Duplessis	Malone	
Total - 37		

NAYS

Total - 0

ABSENT

Marionneaux
Total - 1

The Chair declared the amendments proposed by the House were rejected. Senator Dardenne moved to reconsider the vote by

which the amendments were rejected and laid the motion on the table.

SENATE BILL NO. 142—
BY SENATOR THEUNISSEN

AN ACT

To enact R.S. 33:4720.17(C)(4), 4720.31(C)(4), and 4720.47(D)(4), and R.S. 47:2183.1, relative to tax sales of immovable property and acquisition of adjudicated property from a political subdivision; to provide relative to a tax debtor or other person seeking to redeem such property; to require such person to pay certain costs incurred relative to a tax sale; to require such person to pay certain costs incurred during acquisition of adjudicated property from a political subdivision; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Ways and Means to Reengrossed Senate Bill No. 142 by Senator Theunissen

AMENDMENT NO. 1

On page 1, line 2, after "enact" delete the remainder of the line and insert "R.S. 33:4720.17(C)(4), 4720.31(C)(4), and"

AMENDMENT NO. 2

On page 1, line 8, after "subdivision," delete the remainder of the line

AMENDMENT NO. 3

On page 1, at the beginning of line 9, delete "relative to acquisition of certain property;"

AMENDMENT NO. 4

On page 1, line 11, after "Section 1." delete the remainder of the line and insert "R.S. 33:4720.17(C)(4), 4720.31(C)(4),"

AMENDMENT NO. 5

On page 1, delete lines 13 through 17

AMENDMENT NO. 6

Delete pages 2 through 4

AMENDMENT NO. 7

On page 5, delete lines 1 through 10

Senator Theunissen moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Romero
Cain	Hollis	Shepherd
Chaisson	Jackson	Smith
Cheek	Jones	Theunissen
Cravins	Kostelka	Ullo
Dardenne	Lentini	
Duplessis	Malone	
Total - 37		

NAYS

Total - 0

ABSENT

Schedler
Total - 1

The Chair declared the amendments proposed by the House were concurred in. Senator Theunissen moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 158—

BY SENATORS DARDENNE AND MURRAY
AN ACT

To enact R.S. 17:226.1 and Chapter 32 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:2131 through 2135, relative to employment of minors; to provide for employment of minors providing artistic or creative services; to provide for placement of certain monies received as compensation in trust accounts; to provide for creation of such accounts and for the use of monies deposited in such accounts; to provide for educational instruction of minors engaged in providing artistic or creative services; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Labor and Industrial Relations to Reengrossed Senate Bill No. 158 by Senator Dardenne

AMENDMENT NO. 1

On page 2, line 1, after "contract" and before the period "." insert "and for which instruction is required pursuant to R.S. 51:2134"

AMENDMENT NO. 2

On page 2, line 10, after "compensation" and before "in this" insert "of five hundred dollars or more"

AMENDMENT NO. 3

On page 2, line 24, between "minor" and "in a financial" insert the following: "and, except as provided in Subsection G of this Section, that the trust fund be created"

AMENDMENT NO. 4

On page 3, line 9, between "bonds," and "certificates" delete "and" and insert the following: "interest bearing savings accounts, or"

AMENDMENT NO. 5

On page 3, line 11, between "account" and the period "." insert "or a combination of such investments"

AMENDMENT NO. 6

On page 4, line 14, after "Louisiana" and before the period "." insert the following:

" , who shall hold such funds in trust to be tendered to a trust account that is subsequently established on behalf of the minor, or if no such trust account is established, then to the minor upon reaching the age of majority"

AMENDMENT NO. 7

On page 4, between lines 18 and 19, insert the following:

"G. If a trust account is already established on behalf of the minor in another state, all monies required to be deposited in a trust fund under the provisions of this Section, may be deposited into the trust account already established in another state for the benefit of the minor."

AMENDMENT NO. 8

On page 4, line 25, between "teacher" and "to provide" insert a comma "," and "beginning on the second day of employment."

AMENDMENT NO. 9

On page 5, delete lines 1 through 4 in their entirety

Senator Dardenne moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Romero
Cain	Hollis	Schedler
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Duplessis	Malone	
Total - 38		

NAYS

Total - 0

ABSENT

Total - 0

The Chair declared the amendments proposed by the House were concurred in. Senator Dardenne moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 162— BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 29:732(A), relative to price gouging; to prohibit price gouging during a named tropical storm or hurricane; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Judiciary to Engrossed Senate Bill No. 162 by Senator Heitmeier

AMENDMENT NO. 1

On page 1, line 3, after "hurricane" and before the semi-colon ";", insert "in or threatening the Gulf of Mexico"

AMENDMENT NO. 2

On page 1, line 8, after "hurricane" and before the comma "," insert "in or threatening the Gulf of Mexico"

Senator Heitmeier moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	McPherson
Adley	Ellington	Michot
Amedee	Fields	Mount
Bajoie	Fontenot	Murray
Barham	Gautreaux B	Nevers
Boasso	Gautreaux N	Romero
Broome	Heitmeier	Schedler

Cain
Chaisson
Cheek
Cravins
Dardenne
Duplessis
Total - 37

Jackson
Jones
Kostelka
Lentini
Malone
Marionneaux

Shepherd
Smith
Theunissen
Ullo

NAYS

Total - 0

ABSENT

Hollis
Total - 1

The Chair declared the amendments proposed by the House were concurred in. Senator Heitmeier moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 185— BY SENATOR CRAVINS

AN ACT

To enact R.S. 42:851(O), relative to health and accident insurance programs for the office of group benefits; to provide with regard to the applicability of certain requirements to certain employees; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Appropriations to Reengrossed Senate Bill No. 185 by Senator Cravins

AMENDMENT NO. 1

On page 1, line 2, change "R.S. 42:851(O)" to "R.S. 42:851(E)(5)"

AMENDMENT NO. 2

On page 1, line 6, change "R.S. 42:851(O)" to "R.S. 42:851(E)(5)"

AMENDMENT NO. 3

On page 1, delete lines 10 through 17, and on page 2, delete lines 1 through 5, and insert the following:

"E.

* * *

(5)(a) Any person who was employed by a school board that was not an Office of Group Benefits participating employer and who commences employment with an Office of Group Benefits participating employer on or after January 1, 2002, shall be eligible for credit for years of participation in the health plan of the previous school board employer for vesting purposes. Nothing herein shall be construed to confer eligibility for such credit globally upon the employees of any school board that was not an Office of Group Benefits participating employer on and before December 31, 2001, and becomes an Office of Group Benefits participating employer on or after January 1, 2002. An individual who seeks credit for years of participation in a health plan offered by a school board that was not an Office of Group Benefits participating employer must enroll in an Office of Group Benefits health plan immediately upon employment and continue participation until retirement. In all cases the individual must participate a minimum of five years in an Office of Group Benefits health plan prior to retirement unless otherwise granted retirement based on disability.

(b) Any individual who is eligible for and receives disability retirement benefits from a retirement system created under the laws of this state, shall receive the same retiree health care premium subsidy as an individual who has participated for twenty or more years in the Office of Group Benefits health care program. In order to be eligible for the retiree health care premium subsidy, the individual must have participated in health care programs sponsored by the Office of Group Benefits for the number of years sufficient to earn disability retirement benefits.

Senator Cravins moved to reject the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Malone
Adley	Dupre	Marionneaux
Amedee	Ellington	McPherson
Bajoie	Fontenot	Michot
Barham	Gautreaux B	Mount
Boasso	Gautreaux N	Murray
Broome	Heitmeier	Nevers
Cain	Hollis	Romero
Chaisson	Jackson	Smith
Cheek	Jones	Theunissen
Cravins	Kostelka	Ullo
Dardenne	Lentini	
Total - 35		

NAYS

Total - 0

ABSENT

Fields	Schedler	Shepherd
Total - 3		

The Chair declared the amendments proposed by the House were rejected. Senator Cravins moved to reconsider the vote by which the amendments were rejected and laid the motion on the table.

SENATE BILL NO. 218—

BY SENATOR DUPRE AND REPRESENTATIVE BALDONE
AN ACT

To amend and reenact R.S. 39:330(B)(3) and (4) and to enact R.S. 39:330(B)(5) and 330.4, relative to property control; to provide for the acquisition of surplus computer equipment by certain public educational institutions; to provide for an effective date; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Appropriations to Engrossed Senate Bill No. 218 by Senator Dupre

AMENDMENT NO. 1

On page 1, line 2, after "to enact" delete the remainder of the line and insert "Part X of Chapter 10 of Title 38 of the Louisiana Revised Statutes of 1950, comprised of R.S. 38:2320 and R.S. 39:330(B)(5),"

AMENDMENT NO. 2

On page 1, between lines 6 and 7, insert the following:
"Section 1. Part X of Chapter 10 of Title 38 of the Louisiana Revised Statutes of 1950, comprised of R.S. 38:2320, is hereby enacted to read as follows:

"PART X. DISPOSAL OF SURPLUS COMPUTER EQUIPMENT BY POLITICAL SUBDIVISIONS

§2320. Disposal of surplus computer equipment by political subdivisions

Notwithstanding the provisions of any other law to the contrary, political subdivisions in the state shall establish procedures to give first priority for the acquisition of their surplus computer equipment to public elementary and secondary schools in the state and community and technical colleges under the management and control of the Board of Supervisors of Louisiana Community and Technical Colleges."

AMENDMENT NO. 3

On page 1, line 7, change "Section 1." to "Section 2."

AMENDMENT NO. 4

On page 1, line 8, delete "and 330.4 are" and insert "is"

AMENDMENT NO. 5

On page 2, delete lines 13 through 20 in their entirety

AMENDMENT NO. 6

On page 2, line 21, change "Section 2." to "Section 3."

Senator Dupre moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Malone
Adley	Ellington	Marionneaux
Amedee	Fields	McPherson
Bajoie	Fontenot	Michot
Barham	Gautreaux B	Mount
Boasso	Gautreaux N	Murray
Broome	Heitmeier	Nevers
Cain	Hollis	Romero
Chaisson	Jackson	Schedler
Cheek	Jones	Smith
Dardenne	Kostelka	Theunissen
Duplessis	Lentini	Ullo
Total - 36		

NAYS

Total - 0

ABSENT

Cravins	Shepherd
Total - 2	

The Chair declared the amendments proposed by the House were concurred in. Senator Dupre moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 270—

BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 46:978 and 979(A), relative to health care for the uninsured; to provide for authorization for a Section 1115 of the Social Security Act waiver demonstration initiative; to provide for a Section 1115 demonstration program; to provide for expansion of coverage for families below two hundred percent of the federal poverty level; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Appropriations to Reengrossed Senate Bill No. 270 by Senator McPherson

AMENDMENT NO. 1

On page 1, line 2, after "R.S." and before "46:978" insert "22:232(21) and 236(7)(a) and (b) and R.S."

AMENDMENT NO. 2

On page 1, line 5, after "provide for" and before "expansion" insert "certain premium subsidies with respect to the Louisiana Health Plan; to provide for"

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AMENDMENT NO. 3

On page 1, between lines 7 and 8, insert the following:

"Section 1. R.S. 22:232(21) and 236(7)(a) and (b) are hereby amended and reenacted to read as follows:

§232. Definitions

As used in this Part:

* * *

(21) "Medicaid" means coverage provided under the State Plan for Title XIX of the Social Security Act, 42 U.S.C. 1396 et seq., as amended.

* * *

§236. Powers and duties of the plan

* * *

(7)

* * *

(a) Rates for federally defined individuals. (i) Subject to approval by the Department of Insurance, the plan shall determine a standard risk rate for each coverage option offered by considering the premium rates charged by other insurers offering similar health insurance coverage to individuals and family groups. The standard risk rate shall be established using reasonable actuarial techniques and shall reflect anticipated experience and expenses for such coverage. Subject to the limits provided in this Paragraph, initial rates for each plan year shall be established to provide fully for the expected costs of claims including recovery of prior losses, expenses of operation, investment income of claim reserves, and any other cost factors subject to the limitations described herein, provided such rates shall not exceed two hundred percent of rates applicable to individual standard risks. Upon the receipt of governmental appropriations or alternative funding sources, other than assessments under R.S. 22:239.1, such as authorized service charges, governmental transfer payments, donations or grants, the board shall be authorized to reduce rates for the plan year based on established actuarial and underwriting practices. In no event shall rates for plan coverage be less than the greater of one hundred twenty-five percent of rates established as applicable for individual standard risks or rates established for other individuals provided coverage by or through the plan unless such rates would exceed the maximum amount allowed under this Paragraph. In no instance shall the rates discriminate between covered individuals on the basis of health-related factors.

(ii) Notwithstanding any other provision of this Part to the contrary, for persons eligible under a federal waiver pursuant to R.S. 22:237(B)(2), the board may authorize a premium subsidy if such a premium subsidy is authorized by the federal waiver. If the board authorizes a premium subsidy, the total amount of the subsidy may not be more than sixty-six percent of the premium otherwise specified by this Part. The board may authorize the Louisiana Health Plan to provide for the non-federal share of such premium subsidy. Nothing herein shall permit rates to be calculated other than as described in this Part, or otherwise restrict the board from participating in other components of the federal waiver.

(b) Rates for other individuals. (i) Rates shall not be unreasonable in relation to the coverage provided, the risk experience, and expenses of providing the coverage. Rates and rate schedules may be adjusted for appropriate risk factors such as age and area variation in claim cost and shall take into consideration appropriate risk factors in accordance with established actuarial and underwriting practices. In no instance shall the rates discriminate between covered individuals on the basis of health-related factors.

(ii) Notwithstanding any other provision of this Part to the contrary, for persons eligible under a federal waiver pursuant to R.S. 22:237(D)(2), the board may authorize a premium subsidy if such a premium subsidy is authorized by the federal waiver. If the board authorizes a premium subsidy, the total amount of the subsidy may not be more than sixty-six percent of the premium otherwise specified by this Part. The board may authorize the Louisiana Health Plan to provide for the non-federal share of such premium subsidy. Nothing herein shall permit rates to be calculated other than as described in this Part, or otherwise restrict the board from participating in other components of the federal waiver.

* * *

AMENDMENT NO. 4

31st DAY'S PROCEEDINGS

On page 1, at the beginning of line 8, change "Section 1." to "Section 2."

AMENDMENT NO. 5

On page 3, between lines 1 and 2, insert the following:

(v) To provide for annual federal disproportionate share hospital payments to hospitals that pay hospital provider fees and that meet disproportionate share hospital funding requirements."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Durand to Reengrossed Senate Bill No. 270 by Senator McPherson

AMENDMENT NO. 1

On page 3, after line 13 insert the following:

"Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Jackson to Reengrossed Senate Bill No. 270 by Senator McPherson

AMENDMENT NO. 1

On page 3, at the end of line 1, insert the following:

"Entities eligible for disproportionate share hospital payments may include, but are not limited to, the following: federally qualified health centers, as defined by rule adopted by the Department of Health and Hospitals, parish health units, Louisiana State University clinics, and public or private community-based primary care clinics."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Jackson to Reengrossed Senate Bill No. 270 by Senator McPherson

AMENDMENT NO. 1

On page 3, between lines 12 and 13, insert the following:

"(3) Any changes to the local application process as outlined in the original Health Insurance Flexibility and Accountability or Section 1115 waiver approved by the Centers for Medicare and Medicaid Services must be approved by the Joint Committee on Health and Welfare."

Senator McPherson moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	McPherson
Adley	Fields	Michot
Amedee	Fontenot	Mount
Bajoie	Gautreaux B	Murray
Barham	Gautreaux N	Nevers
Boasso	Heitmeier	Romero
Broome	Hollis	Schedler
Cain	Jackson	Shepherd
Chaisson	Jones	Smith
Cheek	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Duplessis	Malone	
Dupre	Marionneaux	
Total - 37		

NAYS

Total - 0

ABSENT

Cravins

Total - 1

The Chair declared the amendments proposed by the House were concurred in. Senator McPherson moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 313—

BY SENATOR MARIONNEAUX AND REPRESENTATIVE MCVEA
AN ACT

To enact R.S. 33:2740.62, relative to special districts; to create the East Feliciana Parish Economic Development District; to provide for the purpose and governance of the district; to provide for its rights and powers, including the authority for tax financing by the district; to provide for an effective date; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Reengrossed Senate Bill No. 313 by Senator Marionneaux

AMENDMENT NO. 1

On page 2, line 2, change "Subpart" to "Section"

AMENDMENT NO. 2

On page 2, at the end of line 13, change "on" to "own"

Senator Marionneaux moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	McPherson
Adley	Fields	Michot
Amedee	Fontenot	Mount
Bajoie	Gautreaux B	Murray
Barham	Gautreaux N	Nevers
Boasso	Heitmeier	Romero
Broome	Hollis	Schedler
Cain	Jackson	Shepherd
Chaisson	Jones	Smith
Cheek	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Duplessis	Malone	
Dupre	Marionneaux	

Total - 37

NAYS

Total - 0

ABSENT

Cravins

Total - 1

The Chair declared the amendments proposed by the House were concurred in. Senator Marionneaux moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**Senate Concurrent Resolutions
on Second Reading
Reported by Committees**

The following Senate Concurrent Resolutions reported by Committees were taken up and acted upon as follows:

SENATE CONCURRENT RESOLUTION NO. 86—

BY SENATOR B. GAUTREAUX

A CONCURRENT RESOLUTION

To create and provide with respect to the Hospital-acquired Infection Reporting Task Force to study and make recommendations regarding the requirement that all hospitals report the incidence of hospital-acquired infections to the Department of Health and Hospitals.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Concurrent Resolution No. 86 by Senator B. Gautreaux

AMENDMENT NO. 1

On page 2, after line 30 insert "(8) The state epidemiologist from the infectious disease and epidemiology section of the office of public health of the Department of Health and Hospitals."

AMENDMENT NO. 2

On page 3, line 1, change "(8)" to "(9)"

On motion of Senator McPherson, the committee amendment was adopted.

The resolution was read by title. Senator B. Gautreaux moved to adopt the amended Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Romero
Cain	Hollis	Schedler
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Duplessis	Malone	

Total - 38

NAYS

Total - 0

ABSENT

Total - 0

The Chair declared the Senate had adopted the amended Senate Concurrent Resolution and ordered it engrossed and sent to the House.

**House Concurrent Resolutions
on Second Reading
Reported by Committees**

The following House Concurrent Resolutions reported by Committees were taken up and acted upon as follows:

**HOUSE CONCURRENT RESOLUTION NO. 22—
BY REPRESENTATIVES JEFFERSON AND BURRELL
A CONCURRENT RESOLUTION**

To authorize and direct the Louisiana Department of Public Safety and Corrections to create a system to notify individuals convicted of a felony who have completed their terms of confinement or parole relative to the reinstatement of voter registration.

Reported with amendments by the Committee on Senate and Governmental Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Reengrossed House Concurrent Resolution No. 22 by Representative Jefferson

AMENDMENT NO.1

On page 2, delete lines 13 through 15 and insert the following:

"WHEREAS, the Department of Public Safety and Corrections should make a good faith effort to contact former inmates within fourteen days of discharge from legal custody with a follow-up letter to the last known address ensuring that they have been provided with information relative to having their"

On motion of Senator Jones, the committee amendment was adopted.

The resolution was read by title. Senator Jones moved to concur in the amended House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Marionneaux
Adley	Dupre	McPherson
Amedee	Ellington	Michot
Bajoie	Fields	Mount
Barham	Fontenot	Murray
Boasso	Gautreaux B	Nevers
Broome	Gautreaux N	Romero
Cain	Heitmeier	Schedler
Chaisson	Hollis	Shepherd
Cheek	Jackson	Smith
Cravins	Jones	Theunissen
Dardenne	Malone	Ullo

Total - 36

NAYS

Total - 0

ABSENT

Kostelka	Lentini
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Total - 2

The Chair declared the Senate had concurred in the amended House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 63—

BY REPRESENTATIVE DANIEL

A CONCURRENT RESOLUTION

To urge and request public bodies and any agents acting on behalf of public bodies to be open and honest with the public about applicants and candidates for public positions of authority and to discontinue the practice of oral only contacts and interviews, the sole purpose of which is to circumvent the laws relative to public records and the fundamental and constitutional right of the citizens of Louisiana to observe the deliberations of public bodies and examine public documents.

Reported favorably by the Committee on Senate and Governmental Affairs.

The resolution was read by title. Senator Dardenne moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	McPherson
Adley	Ellington	Michot
Amedee	Fields	Mount
Bajoie	Fontenot	Murray
Barham	Gautreaux B	Nevers
Boasso	Gautreaux N	Romero
Broome	Heitmeier	Schedler
Cain	Jackson	Shepherd
Chaisson	Jones	Smith
Cheek	Kostelka	Theunissen
Cravins	Lentini	Ullo
Dardenne	Malone	
Duplessis	Marionneaux	
Total - 37		

NAYS

Total - 0

ABSENT

Hollis
Total - 1

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 130—

BY REPRESENTATIVE BEARD

A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals to explore all avenues to assure that new parents are made aware of their option to donate the blood collected from their newborn's umbilical cord for the purposes of extracting stem cells.

Reported favorably by the Committee on Health and Welfare.

The resolution was read by title. Senator Dardenne moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray

Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Romero
Cain	Jackson	Schedler
Chaisson	Jones	Smith
Cheek	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Duplessis	Malone	
Total - 35		

NAYS

Total - 0

ABSENT

Cravins	Hollis	Shepherd
Total - 3		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 138—
 BY REPRESENTATIVES GARY SMITH, FARRAR, MONTGOMERY, R. CARTER, FAUCHEUX, GALLOT, SHEPHERD, AND WHITE
A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to make permanent the increases in Servicemembers' Group Life Insurance coverage and the Death Gratuity benefits to provide financial security of survivors of members of the Louisiana National Guard and other servicemembers who make the ultimate sacrifice with their lives while serving our country and the state of Louisiana.

Reported favorably by the Committee on Senate and Governmental Affairs.

The resolution was read by title. Senator N. Gautreaux moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Romero
Cain	Hollis	Schedler
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Duplessis	Malone	
Total - 38		

NAYS

Total - 0

ABSENT

Total - 0

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 172—
 BY REPRESENTATIVE ROBIDEAUX
A CONCURRENT RESOLUTION

To urge and request the Louisiana Department of Social Services, bureau of licensing, to study the feasibility of adopting and implementing rules and regulations to provide for the licensing of "drop-in" programs.

Reported favorably by the Committee on Health and Welfare.

The resolution was read by title. Senator Michot moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Romero
Cain	Hollis	Schedler
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Duplessis	Malone	
Total - 38		

NAYS

Total - 0

ABSENT

Total - 0

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

**House Bills and Joint Resolutions on
 Third Reading
 and Final Passage**

The following House Bills and Joint Resolutions on Third Reading and Final Passage were taken up and acted upon as follows:

HOUSE BILL NO. 75—
 BY REPRESENTATIVE ALEXANDER
AN ACT

To enact R.S. 33:423.15, relative to the city of Broussard; to provide for the chief of police of that city to take certain personnel actions; to provide for appeal of those actions by police department employees; and to provide for related matters.

The bill was read by title. Senator Michot moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Romero
Cain	Hollis	Schedler
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Duplessis	Malone	
Total - 38		

NAYS

Total - 0

ABSENT

Total - 0

The Chair declared the bill was passed. The title was read and adopted. Senator Michot moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 120—

BY REPRESENTATIVES HILL AND BEARD
AN ACT

To enact R.S. 17:3048.1(Q)(5) and (V)(3), to provide relative to minimum scores on specified tests that are required of certain home study students to be eligible for Tuition Opportunity Program for Students awards; to provide for effectiveness; to provide for an effective date; and to provide for related matters.

Floor Amendments Sent Up

Senator Heitmeier sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Heitmeier to Engrossed House Bill No. 120 by Representative Hill

AMENDMENT NO. 1

On page 1, line 12, change "(5)" to "(5)(a)"

AMENDMENT NO. 2

On page 2, between lines 2 and 3, insert the following:
"(b) The provisions of this Paragraph shall be in effect through the 2007-2008 school year and thereafter shall have no effect."

AMENDMENT NO. 3

On page 2, line 6, change "(3)" to "(3)(a)"

AMENDMENT NO. 4

On page 2, between lines 15 and 16, insert the following:
"(b) The provisions of this Paragraph shall be in effect through the 2007-2008 school year and thereafter shall have no effect."

On motion of Senator Heitmeier, the amendments were adopted.

The bill was read by title. Senator Broome moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	McPherson
Adley	Fields	Michot
Amedee	Fontenot	Mount
Bajoie	Gautreaux B	Murray
Barham	Gautreaux N	Nevers
Boasso	Heitmeier	Romero
Broome	Hollis	Schedler
Cain	Jackson	Shepherd
Chaisson	Jones	Smith
Cheek	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Duplessis	Malone	
Dupre	Marionneaux	
Total - 37		

NAYS

Total - 0

ABSENT

Cravins
Total - 1

The Chair declared the amended bill was passed. The title was read and adopted. Senator Broome moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 133—

BY REPRESENTATIVE CAZAYOUX
AN ACT

To amend and reenact R.S. 33:2495(B)(1)(a) and 2555(B)(1)(a), relative to the municipal fire and police civil service; to provide relative to the removal of an employee from a position during his working test; and to provide for related matters.

The bill was read by title. Senator Marionneaux moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Marionneaux
Adley	Dupre	McPherson
Amedee	Ellington	Michot
Bajoie	Fields	Mount
Barham	Fontenot	Murray
Boasso	Gautreaux B	Nevers
Broome	Hollis	Romero
Cain	Jackson	Schedler
Chaisson	Jones	Shepherd
Cheek	Kostelka	Smith
Cravins	Lentini	Theunissen
Dardenne	Malone	Ullo
Total - 36		

NAYS

Heitmeier
Total - 1

ABSENT

Gautreaux N
Total - 1

The Chair declared the bill was passed. The title was read and adopted. Senator Marionneaux moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 145—

BY REPRESENTATIVE THOMPSON
AN ACT

To amend and reenact R.S. 33:140.75(A) and to repeal R.S. 33:140.71(C), relative to railroad development districts; to provide for the maximum rate of the ad valorem tax to be levied by such districts; to provide relative to tax renewal; to repeal certain provisions relative to district boundaries; and to provide for related matters.

The bill was read by title. Senator Smith moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray

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Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Romero
Cain	Hollis	Schedler
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Duplessis	Malone	
Total - 38		

NAYS

Total - 0

ABSENT

Total - 0

The Chair declared the bill was passed. The title was read and adopted. Senator Smith moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 151—

BY REPRESENTATIVE DOVE

AN ACT

To amend and reenact R.S. 13:976(C), relative to court reporters in the Thirty-Second Judicial District Court; to increase the fees court reporters may charge per page for civil and criminal transcripts; to decrease the fees court reporters may charge per page copy for civil and criminal transcripts; and to provide for related matters.

The bill was read by title. Senator Dupre moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Romero
Cain	Hollis	Schedler
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Duplessis	Malone	
Total - 38		

NAYS

Total - 0

ABSENT

Total - 0

The Chair declared the bill was passed. The title was read and adopted. Senator Dupre moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 158—

BY REPRESENTATIVE MARCHAND

AN ACT

To amend and reenact R.S. 17:226, relative to exemptions from compulsory school attendance; to authorize nurse practitioners licensed to practice in Louisiana to substantiate certain illnesses permitting a child to be excused temporarily from attending school; to remove exemptions based on the location of a child's residence and certain other transportation factors; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator Jackson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Romero
Cain	Hollis	Schedler
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Duplessis	Malone	
Total - 38		

NAYS

Total - 0

ABSENT

Total - 0

The Chair declared the bill was passed. The title was read and adopted. Senator Jackson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 161—

BY REPRESENTATIVE BRUCE

AN ACT

To enact R.S. 13:961(F)(1)(o), relative to court reporter fees in the Eleventh Judicial District Court; to authorize the judges en banc to set the fees for each page and copy of transcribed testimony; and to provide for related matters.

The bill was read by title. Senator Cheek moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Romero
Chaisson	Hollis	Shepherd
Cheek	Jackson	Smith
Cravins	Jones	Theunissen
Dardenne	Kostelka	Ullo
Duplessis	Lentini	
Total - 35		

NAYS

Total - 0

ABSENT

Cain
Total - 3

Malone

Schedler

June 16, 2005

The Chair declared the bill was passed. The title was read and adopted. Senator Cheek moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 178—

BY REPRESENTATIVES HUTTER, BARROW, AND BAUDOUIN AND SENATOR DUPLESSIS

AN ACT

To amend and reenact R.S. 17:15(A)(1) and (2)(a)(introductory paragraph), (i), and (ii) and (b), (B), and (D), relative to criminal history review; to prohibit public school boards and nonpublic schools and school systems from hiring specified persons who have been convicted of or pled nolo contendere to certain crimes, except under certain circumstances; to provide relative to procedures established by city, parish, and other local public school boards to determine whether such persons have been convicted of certain crimes; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and returned to the Calendar, subject to call.

HOUSE BILL NO. 184—

BY REPRESENTATIVE FRITH

AN ACT

To enact R.S. 41:727, relative to the transfer of certain sixteenth section land by the Vermilion Parish School Board; to specify the property to be transferred and the persons to whom it shall be transferred; and to provide for related matters.

The bill was read by title. Senator N. Gautreaux moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Romero
Cain	Hollis	Schedler
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Duplessis	Malone	
Total - 38		

NAYS

Total - 0

ABSENT

Total - 0

The Chair declared the bill was passed. The title was read and adopted. Senator N. Gautreaux moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 197—

BY REPRESENTATIVE DOVE AND SENATOR ROMERO

AN ACT

To enact R.S. 49:214.9 and 214.10, relative to coastal preservation and restoration; to establish a program for stabilization and restoration of coastal passes; to create the Coastal Passes Stabilization and Restoration Fund as a special fund in the state treasury; to provide for the deposit, use, and investment of monies in the fund; and to provide for related matters.

The bill was read by title. Senator Dupre moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Romero
Cain	Hollis	Schedler
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Duplessis	Malone	
Total - 38		

NAYS

Total - 0

ABSENT

Total - 0

The Chair declared the bill was passed. The title was read and adopted. Senator Dupre moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 204—

BY REPRESENTATIVE CAZAYOUX

AN ACT

To amend and reenact R.S. 56:2011(C), relative to payment of royalties for dredging state water bottoms; to exempt from the payment of such royalties the dredging of False River for certain purposes; and to provide for related matters.

The bill was read by title. Senator Marionneaux moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Romero
Cain	Hollis	Schedler
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Duplessis	Malone	
Total - 38		

NAYS

Total - 0

ABSENT

Total - 0

The Chair declared the bill was passed. The title was read and adopted. Senator Marionneaux moved to reconsider the vote by which the bill was passed and laid the motion on the table.

June 16, 2005

HOUSE BILL NO. 224—

BY REPRESENTATIVE DARTEZ

AN ACT

To amend and reenact R.S. 49:259(B) and (C), relative to state funds; to increase the balance in the Department of Justice Legal Support Fund dedicated to support certain expenses of the Department of Justice; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator Barham moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Lentini
Adley	Dupre	Malone
Amedee	Ellington	Marionneaux
Bajoie	Fields	McPherson
Barham	Fontenot	Michot
Boasso	Gautreaux B	Mount
Broome	Gautreaux N	Murray
Cain	Heitmeier	Nevers
Chaisson	Hollis	Romero
Cheek	Jackson	Shepherd
Cravins	Jones	Smith
Dardenne	Kostelka	Theunissen
Total - 36		

NAYS

Total - 0

ABSENT

Schedler	Ullo
Total - 2	

The Chair declared the bill was passed. The title was read and adopted. Senator Barham moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 238—

BY REPRESENTATIVE ST. GERMAIN

AN ACT

To amend and reenact R.S. 56:650(A)(2) and to enact R.S. 56:650(C), relative to the Lifetime License Endowment Fund; to provide for deposit of revenues to the fund; to provide relative to investment of the monies in the fund; and to provide for related matters.

The bill was read by title. Senator B. Gautreaux moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Malone
Adley	Ellington	Marionneaux
Amedee	Fields	McPherson
Bajoie	Fontenot	Michot
Barham	Gautreaux B	Mount
Boasso	Gautreaux N	Murray
Broome	Heitmeier	Nevers
Chaisson	Hollis	Romero
Cheek	Jackson	Shepherd
Cravins	Jones	Smith
Dardenne	Kostelka	Theunissen
Duplessis	Lentini	Ullo
Total - 36		

NAYS

Cain
Total - 1

ABSENT

Schedler
Total - 1

The Chair declared the bill was passed. The title was read and adopted. Senator B. Gautreaux moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 244—

BY REPRESENTATIVES WALSWORTH AND LAMBERT

AN ACT

To enact R.S. 40:1394.1, relative to state police; to provide for a report of salary schedules for troopers and officers of the division of state police; to require that the report be submitted to the governor, the commissioner of administration, and members of the legislature through the speaker of the House of Representatives and the president of the Senate; to provide for the scope of the annual salary schedule report; to provide for procedures for review of said salary schedule; to provide for the implementation of recommendations concerning such schedule; and to provide for related matters.

The bill was read by title. Senator Ellington moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	McPherson
Amedee	Fields	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Cain	Heitmeier	Romero
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Duplessis	Malone	
Dupre	Marionneaux	
Total - 34		

NAYS

Adley
Total - 1

ABSENT

Broome	Hollis	Schedler
Total - 3		

The Chair declared the bill was passed. The title was read and adopted. Senator Ellington moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Personal Privilege

Senator Adley asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on House Bill No. 244. He voted nay on the bill and had intended to vote yea. He asked that the Official Journal so state.

HOUSE BILL NO. 268—

BY REPRESENTATIVE BURRELL

AN ACT

To amend and reenact R.S. 27:392(B)(2)(a), relative to the Pari-mutuel Live Racing Facility Economic Redevelopment and Gaming Control Act; to provide for a portion of the monies in the Pari-mutuel Live Racing Facility Gaming Control Fund to be deposited into the Compulsive and Problem Gaming Fund; to provide for an effective date; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and returned to the Calendar, subject to call.

HOUSE BILL NO. 295—

BY REPRESENTATIVE TOWNSEND

AN ACT

To enact R.S. 13:961(F)(1)(o), relative to court reporter fees in the Thirty-Ninth Judicial District Court; to authorize the judges to establish fees per page and copy for reported and transcribed testimony not to exceed a specified amount; and to provide for related matters.

The bill was read by title. Senator Smith moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Malone
Adley	Ellington	Marionneau
Amedee	Fields	McPherson
Bajoie	Fontenot	Michot
Barham	Gautreaux B	Mount
Boasso	Gautreaux N	Murray
Broome	Heitmeier	Nevers
Cain	Hollis	Romero
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Dardenne	Kostelka	Theunissen
Duplessis	Lentini	Ullo
Total - 36		

NAYS

Total - 0

ABSENT

Cravins	Schedler
Total - 2	

The Chair declared the bill was passed. The title was read and adopted. Senator Smith moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 314—

BY REPRESENTATIVES WALSWORTH AND KATZ

AN ACT

To enact R.S. 17:85.11, relative to naming a Reserve Officers' Training Corps building; to authorize the Ouachita Parish School Board to name the Reserve Officers' Training Corps building at West Monroe High School in honor of James Donald Halsell, Jr.; and to provide for related matters.

The bill was read by title. Senator Ellington moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	McPherson
Adley	Fontenot	Michot
Amedee	Gautreaux B	Mount
Bajoie	Gautreaux N	Murray
Barham	Heitmeier	Nevers
Boasso	Hollis	Romero
Broome	Jackson	Shepherd
Chaisson	Jones	Smith
Cheek	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Duplessis	Malone	
Dupre	Marionneau	
Total - 34		

NAYS

Total - 0

ABSENT

Cain	Ellington
Cravins	Schedler
Total - 4	

The Chair declared the bill was passed. The title was read and adopted. Senator Ellington moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 377—

BY REPRESENTATIVE DOWNS

AN ACT

To enact R.S. 33:2737.78, to authorize the Union Parish School Board to levy and collect an additional sales and use tax; to provide for the use of tax proceeds; to provide for voter approval; and to provide for related matters.

The bill was read by title. Senator Barham moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Marionneau
Adley	Dupre	McPherson
Amedee	Ellington	Michot
Bajoie	Fields	Mount
Barham	Fontenot	Murray
Boasso	Gautreaux B	Nevers
Broome	Gautreaux N	Romero
Cain	Jackson	Shepherd
Chaisson	Jones	Smith
Cheek	Kostelka	Theunissen
Cravins	Lentini	Ullo
Dardenne	Malone	
Total - 35		

NAYS

Total - 0

ABSENT

Heitmeier	Hollis	Schedler
Total - 3		

The Chair declared the bill was passed. The title was read and adopted. Senator Barham moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 380—

BY REPRESENTATIVE ARNOLD

AN ACT

To amend and reenact R.S. 11:266.1(B), (D), and (E), relative to investments of state retirement systems; to provide for investments through Louisiana incorporated and domiciled broker-dealers; to specify that ten percent of all commissions of

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trades of domestic equity and fixed income investments shall be directed through broker-dealers incorporated, domiciled, or having their principal trading operations in Louisiana; to require the broker-dealers to enter into commission recapture agreements with the systems; to change the date on which the pilot program ends; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator B. Gautreaux moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Marionneaux
Amedee	Dupre	Michot
Bajoie	Fields	Murray
Broome	Gautreaux B	Nevers
Chaisson	Gautreaux N	Romero
Cheek	Heitmeier	Shepherd
Cravins	Hollis	Smith
Total - 21		

NAYS

Adley	Ellington	Schedler
Barham	Fontenot	Theunissen
Boasso	Kostelka	Ullo
Cain	Lentini	
Dardenne	Malone	
Total - 13		

ABSENT

Jackson	McPherson
Jones	Mount
Total - 4	

The Chair declared the bill was passed. The title was read and adopted. Senator B. Gautreaux moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 387—
BY REPRESENTATIVE SALTER**AN ACT**

To enact R.S. 38:2325(A)(16), 2327.2, and 2327.3, relative to establishing a law enforcement division for the Sabine River Authority; to authorize the board of commissioners of the Sabine River Authority to employ law enforcement officers; to provide for the qualification, responsibilities, and duties of such law enforcement officers; to require law enforcement officers to execute a bond; to require the purchase of certain equipment and supplies; to provide relative to violation of certain rules and regulations; to provide relative to penalties for violations; and to provide for related matters.

The bill was read by title. Senator Smith moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Romero
Cain	Hollis	Shepherd

Chaisson
Cheek
Cravins
Dardenne
Duplessis
Total - 37

Jackson
Jones
Kostelka
Lentini
Malone

Smith
Theunissen
Ullo

NAYS

Total - 0

ABSENT

Schedler
Total - 1

The Chair declared the bill was passed. The title was read and adopted. Senator Smith moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 393—

BY REPRESENTATIVE BRUNEAU AND SENATOR MURRAY

AN ACT

To amend and reenact R.S. 27:392(B)(3)(d), relative to the Pari-mutuel Live Racing Facility Economic Redevelopment and Gaming Control Act; to increase the amount of monies in the Pari-mutuel Live Racing Facility Gaming Control Fund dedicated for deposit into the Beautification and Improvement of the New Orleans City Park Fund; to establish the Greater New Orleans Sports Foundation Fund as a special fund in the state treasury and to provide for the deposit and use of monies in the fund; to provide for an effective date; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and returned to the Calendar, subject to call.

HOUSE BILL NO. 397—

BY REPRESENTATIVE BALDONE

AN ACT

To amend and reenact R.S. 56:322(C)(7), relative to unattended fishing nets; to remove the requirement for destruction of unattended nets; and to provide for related matters.

The bill was read by title. Senator Dupre moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Romero
Cain	Hollis	Shepherd
Chaisson	Jackson	Smith
Cheek	Jones	Theunissen
Cravins	Kostelka	Ullo
Dardenne	Lentini	
Duplessis	Malone	
Total - 37		

NAYS

Total - 0

ABSENT

Schedler
Total - 1

The Chair declared the bill was passed. The title was read and adopted. Senator Dupre moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 427—

BY REPRESENTATIVE BADON

AN ACT

To enact R.S. 33:9079, relative to the Kingswood Subdivision Improvement District; to create and provide for such district, including provisions for the district and its board of commissioners and their powers, duties, functions, and responsibilities; to provide for the imposition and collection of a parcel fee and for the use thereof; and to provide for related matters.

The bill was read by title. Senator Duplessis moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Romero
Cain	Hollis	Shepherd
Chaisson	Jackson	Smith
Cheek	Jones	Theunissen
Cravins	Kostelka	Ullo
Dardenne	Lentini	
Duplessis	Malone	
Total - 37		

NAYS

Total - 0

ABSENT

Schedler
Total - 1

The Chair declared the bill was passed. The title was read and adopted. Senator Duplessis moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 428—

BY REPRESENTATIVES PIERRE AND THOMPSON

AN ACT

To enact Chapter 14-A of Title 41 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 41:1731 through 1734, relative to the development of renewable energy sources; to authorize the Department of Natural Resources to lease state lands for the exploration, development, and production of energy from wind; to provide a process for leasing state lands for the exploration, development, and production of energy from wind; to provide for the powers and duties of the secretary of the Department of Natural Resources; to provide for the powers and duties of the State Mineral Board; to authorize the implementation of fees; to provide for the promulgation of rules and regulations; and to provide for related matters.

Floor Amendments Sent Up

Senator Malone sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Malone to Reengrossed House Bill No. 428 by Representative Pierre

AMENDMENT NO. 1

On page 4, line 22, after "lease," and before "The" insert:

"Such minimum royalty shall be not less than one-eighth of revenue produced by each wind turbine."

AMENDMENT NO. 2

On page 4, at the end of line 24, insert:

"Such lease shall include a provision permitting the state, at its option, to take in kind all or any of the portion due it as royalty."

On motion of Senator Malone, the amendments were adopted.

Floor Amendments Sent Up

Senator Romero sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Romero to Reengrossed House Bill No. 428 by Representative Pierre

AMENDMENT NO. 1

On page 3 delete lines 5 through 7

On motion of Senator Romero, the amendments were adopted.

The bill was read by title. Senator N. Gautreaux moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Romero
Cain	Hollis	Shepherd
Chaisson	Jackson	Smith
Cheek	Jones	Theunissen
Cravins	Kostelka	Ullo
Dardenne	Lentini	
Duplessis	Malone	
Total - 37		

NAYS

Total - 0

ABSENT

Schedler
Total - 1

The Chair declared the amended bill was passed. The title was read and adopted. Senator N. Gautreaux moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Senator Bajoie in the Chair

HOUSE BILL NO. 432—

BY REPRESENTATIVES ALARIO, SALTER, DORSEY, AND HAMMETT AND SENATORS HINES, BAJOE, HEITMEIER, AND MOUNT

AN ACT

To amend and reenact R.S. 39:1593(C)(1)(a), relative to state procurement; to expand the authorized use of a competitive request for proposal process under certain circumstances; to provide for an effective date; and to provide for related matters.

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The bill was read by title. Senator Heitmeier moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Malone
Adley	Ellington	Marionneaux
Amedee	Fields	McPherson
Bajoie	Fontenot	Michot
Barham	Gautreaux B	Mount
Boasso	Gautreaux N	Murray
Broome	Heitmeier	Nevers
Cain	Hollis	Romero
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Dardenne	Kostelka	Theunissen
Duplessis	Lentini	Ullo
Total - 36		

NAYS

Total - 0

ABSENT

Cravins	Schedler
Total - 2	

The Chair declared the bill was passed. The title was read and adopted. Senator Heitmeier moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 460—

BY REPRESENTATIVES ALARIO, SALTER, DORSEY, HAMMETT, ALEXANDER, ARNOLD, BADON, BALDONE, BARROW, BAUDOIN, BAYLOR, BRUCE, BURNS, BURRELL, K. CARTER, CAZAYOUX, CRANE, CRAVINS, CURTIS, DAMICO, DANIEL, DARTEZ, DOERGE, DOVE, DOWNS, DURAND, FANNIN, FARRAR, FAUCHEUX, FRITH, GALLOT, GLOVER, GRAY, E. GUILLORY, M. GUILLORY, HEATON, HILL, HONEY, HOPKINS, HUNTER, HUTTER, JACKSON, JEFFERSON, JOHNS, KENNARD, LAFLEUR, LAFONTA, MARCHAND, McDONALD, MCVEA, MONTGOMERY, MORRELL, ODINET, PIERRE, PINAC, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROMERO, SHEPHERD, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOWNSEND, TRAHAN, WALKER, WALSWORTH, WHITE, WOOTON, AND WRIGHT AND SENATORS HEITMEIER, HINES, BAJOE, AND MOUNT

AN ACT

To enact Part VI-A of Chapter 39 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:2365, relative to state funds; to establish the Rapid Response Fund as a special treasury fund; to provide for the dedication, deposit, use, and investment of monies in the fund; to require reporting; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator Heitmeier moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Romero
Cain	Hollis	Shepherd
Chaisson	Jackson	Smith
Cheek	Jones	Theunissen

Cravins	Kostelka	Ullo
Dardenne	Lentini	
Duplessis	Malone	
Total - 37		

NAYS

Total - 0

ABSENT

Schedler
Total - 1

The Chair declared the bill was passed. The title was read and adopted. Senator Heitmeier moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 477—

BY REPRESENTATIVE DOVE

AN ACT

To amend and reenact R.S. 56:722, relative to game and fish commissions; to provide that such commissions shall not have authority over certain vessels; and to provide for related matters.

The bill was read by title. Senator B. Gautreaux moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Malone
Adley	Dupre	Marionneaux
Amedee	Ellington	McPherson
Bajoie	Fields	Michot
Barham	Fontenot	Mount
Boasso	Gautreaux B	Murray
Broome	Gautreaux N	Nevers
Cain	Hollis	Romero
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Total - 36		

NAYS

Total - 0

ABSENT

Heitmeier	Schedler
Total - 2	

The Chair declared the bill was passed. The title was read and adopted. Senator B. Gautreaux moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 478—

BY REPRESENTATIVE HEATON

AN ACT

To amend and reenact R.S. 11:1386, relative to the judges' noncontributory plan; to provide a two percent cost-of-living adjustment for judges who did not opt to become members of the Louisiana State Employees' Retirement System and for surviving spouses of such judges; to provide an effective date; and to provide for related matters.

On motion of Senator Murray, the bill was read by title and returned to the Calendar, subject to call.

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HOUSE BILL NO. 505—

BY REPRESENTATIVES JACK SMITH AND HUTTER
AN ACT

To amend and reenact R.S. 39:32.1(E) and (F) and to enact R.S. 17:3129(F), relative to higher education; to provide relative to budget requests for higher education agencies; and to provide for related matters.

Floor Amendments Sent Up

Senator Hines sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hines to Reengrossed House Bill No. 505 by Representative Jack Smith

AMENDMENT NO. 1

On page 1, line 2, after "amend and reenact R.S." insert 17:3217.1(A)(8) and (9) and R.S." and after "3129(F)" insert "and 3217.1(A)(10) and (11) and (C)"

AMENDMENT NO. 2

On page 1, line 4, after "agencies;" insert "to provide with regard the structure of the Louisiana Community and Technical College System;"

AMENDMENT NO. 3

On page 1, line 6, after "Section 1." insert "R.S. 17:3217.1(A)(8) and (9) are hereby amended and reenacted and" and after "3129(F)" change "is" to "and" "3217.1(A)(10) and (11) and (C) are"

AMENDMENT NO. 4

On page 1, between lines 12 and 13, insert the following:

* * *

§3217.1. Board of Supervisors of Community and Technical Colleges system; assignment of institution

A. The Louisiana Community and Technical College System is composed of the institutions under the supervisors and management of the Board of Supervisors of community and Technical Colleges as follows:

* * *

(8) Sowela Technical Community College.

(9) L.E. Fletcher Technical Community College.

(10) All public postsecondary technical colleges which provide vocational-technical education.

(11) Any other community college, technical college, or other institution or program now or hereafter under the supervision and management of the Board of Supervisors of Community and Technical Colleges.

* * *

C.(1)(a) Not later than February 1, 2006, the Board of Supervisors of the Community and Technical Colleges System shall establish a technical division pursuant to a plan prepared as provided in Paragraph (3) of this Subsection and subject to the limitations provided in this Subsection that shall be comprised of all the institutions provided in Subsection (A)(8), (9), and (10) of this Section.

(b) The technical division may be staffed in the system office by a vice president of technical services to correspond to a vice president of community college services as determined by the president of the system. Such vice president shall be appointed by and be answerable to the president of the system. There shall be no single institutional chancellor with administrative or operational authority over all institutions in the technical division.

(2)(a)(i) The technical division shall be established by organizing such institutions into not less than five nor more than ten regions. The mission of the technical division shall be to ensure that high quality technical services are accessible to every citizen seeking such services in each region as part of a fully integrated regionally comprehensive system of technical and community college services.

(ii) Technical services shall include: remedial education and adult education, career preparation, customized training and rapid response workforce development, and community services.

(b) The administrative and operational leadership structure for each region shall be established according to the variation of the institutions and components that are part of or planned for the region in compliance with the plan approved and made operational by the board of supervisors.

(3)(a) Such structure shall include providing for regional coordinating authority to be exercised by a vice chancellor for technical education of a comprehensive community college, or the chancellor of a technical community college, or the head of a technical institution; but in no case shall regional authority be exercised by a person who is not employed directly on the campus of an institution in the region.

(b) The person exercising regional coordinating authority shall: (i) Prepare and submit to the Board of Supervisors of the Louisiana Community and Technical College System for its approval a proposed operational and capital outlay budget for each institution, based on a budget submitted by the head of each such institution in the region, and a proposed budget for the operation of his office.

(ii) Allocate to each institution in the region all operational and capital outlay funding appropriated by the state legislature for expenditure by each institution.

(4)(a) Not later than August 16, 2005, the commissioner of higher education shall appoint or assign a person with the appropriate expertise and background to research and prepare a plan for the organization and establishment of the division in compliance with this Subsection for presentation to the board.

(b) In preparing such plan, the person shall consider and account for the population patterns across the state, the enrollment patterns in the various institutions of postsecondary education in the state, the evidence of commuting patterns in each area of the state, the level of accreditation of the various community colleges and other institutions that are part of the Community and Technical College System, and the programs in place at the various institutions.

(c) In researching the plan, the person shall consult with representatives of the students to be served, the faculty of the institutions involved, the businesses and industries in each region, and the members of the legislature in each region."

Senator Hines moved adoption of the amendments.

Senator Dardenne objected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Marionneaux
Adley	Fields	McPherson
Barham	Fontenot	Murray
Boasso	Gautreaux B	Nevers
Cain	Gautreaux N	Romero
Chaisson	Heitmeier	Schedler
Cheek	Hollis	Shepherd
Cravins	Kostelka	Smith
Duplessis	Lentini	Ullo
Dupre	Malone	
Total - 29		

NAYS

Amedee	Dardenne	Michot
Bajoie	Jackson	Mount
Broome	Jones	Theunissen
Total - 9		

ABSENT

Total - 0

The Chair declared the amendments were adopted.

The bill was read by title. Senator B. Gautreaux moved the final passage of the amended bill.

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ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Malone
Adley	Ellington	Marionneaux
Amedee	Fields	McPherson
Bajoie	Fontenot	Murray
Barham	Gautreaux B	Nevers
Boasso	Gautreaux N	Romero
Broome	Heitmeier	Schedler
Cain	Hollis	Shepherd
Chaisson	Jackson	Smith
Cheek	Jones	Ullo
Cravins	Kostelka	
Duplessis	Lentini	
Total - 34		

NAYS

Dardenne	Mount
Michot	Theunissen
Total - 4	

ABSENT

Total - 0

The Chair declared the amended bill was passed. The title was read and adopted. Senator B. Gautreaux moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Personal Privilege

Senator Amedee asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on House Bill No. 505. He voted yea on the bill and had intended to vote nay. He asked that the Official Journal so state.

HOUSE BILL NO. 519—

BY REPRESENTATIVE MCVEA

AN ACT

To amend and reenact R.S. 11:82(A)(8), relative to ad valorem tax contributions for the Teachers' Retirement System of Louisiana; to provide for allocation of the ad valorem taxes remitted from the parish of East Baton Rouge and dedicated to the system; to provide for the division of the taxes among the school systems located completely within the parish; to require the school boards to file a formula for calculation of this division with the retirement system and the parish assessor; and to provide for related matters.

The bill was read by title. Senator Dardenne moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	McPherson
Adley	Ellington	Michot
Amedee	Fields	Mount
Bajoie	Fontenot	Murray
Barham	Gautreaux B	Nevers
Boasso	Gautreaux N	Romero
Broome	Heitmeier	Schedler
Cain	Jackson	Shepherd
Chaisson	Jones	Smith
Cheek	Lentini	Theunissen
Dardenne	Malone	Ullo
Duplessis	Marionneaux	
Total - 35		

NAYS

Total - 0

ABSENT

Cravins	Hollis	Kostelka
Total - 3		

The Chair declared the bill was passed. The title was read and adopted. Senator Dardenne moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Mr. President in the Chair**HOUSE BILL NO. 560—**

BY REPRESENTATIVES ALARIO, SALTER, DORSEY, AND HAMMETT AND SENATORS HINES, BAJOE, HEITMEIER, AND MOUNT

AN ACT

To amend and reenact R.S. 39:2(23) and (24) and 36(A), relative to the state budget and budget process; to provide for the executive budget; to modify certain definitions; to provide with respect to the contents and format of the executive budget; and to provide for related matters.

The bill was read by title. Senator Heitmeier moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Malone
Adley	Dupre	Marionneaux
Amedee	Ellington	McPherson
Bajoie	Fields	Michot
Barham	Fontenot	Mount
Boasso	Gautreaux N	Murray
Broome	Heitmeier	Nevers
Cain	Hollis	Romero
Chaisson	Jackson	Schedler
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Total - 36		

NAYS

Total - 0

ABSENT

Gautreaux B	Shepherd
Total - 2	

The Chair declared the bill was passed. The title was read and adopted. Senator Heitmeier moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 562—

BY REPRESENTATIVE HAMMETT

AN ACT

To amend and reenact R.S. 36:704(B) and (D) and R.S. 49:257, relative to state agencies; to authorize the attorney general to collect debts of state agencies in certain circumstances; to create the Department of Justice Debt Collection Fund as a special fund in the state treasury; to provide for the deposit, uses, and investment of monies in the fund; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator Jones moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	McPherson
Adley	Ellington	Michot
Amedee	Fields	Mount
Bajoie	Fontenot	Murray
Barham	Gautreaux N	Nevers
Boasso	Heitmeier	Romero
Broome	Hollis	Schedler
Cain	Jackson	Shepherd
Chaisson	Jones	Smith
Cheek	Kostelka	Theunissen
Cravins	Lentini	Ullo
Dardenne	Malone	
Duplessis	Marionneaux	
Total - 37		

NAYS

Total - 0

ABSENT

Gautreaux B
Total - 1

The Chair declared the bill was passed. The title was read and adopted. Senator Jones moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 586—

BY REPRESENTATIVE JEFFERSON
AN ACT

To amend and reenact R.S. 33:4720.52(A)(1) and (B), 4720.53, 4720.56(17), 4720.57(A), 4720.59(D)(5) and (E), 4720.60(A)(3), 4720.61(A), 4720.62(A)(3), 4720.65(A)(6), and 4720.71(7), (9)(introductory paragraph) and (a), (d), (f), and (g), and to enact R.S. 33:4720.56(18) and (19), 4720.61(B)(5) and (O), and 4720.72, relative to the New Orleans Community Improvement Act; to provide with respect to the New Orleans Redevelopment Authority; to provide for the acquisition of blighted properties and functionally obsolescent facilities; to provide relative to the recordation of liens; to provide for the issuance of certain types of bonds; and to provide for related matters.

Floor Amendments Sent Up

Senator Murray sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Murray to Reengrossed House Bill No. 586 by Representative Jefferson

AMENDMENT NO.1

Delete all Conforming Senate Floor Amendments proposed by Senator Murray and adopted by the Senate on June 13, 2005.

On motion of Senator Murray, the amendments were adopted.

The bill was read by title. Senator Murray moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneaux
Adley	Ellington	McPherson

Amedee	Fields	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Romero
Cain	Hollis	Schedler
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Duplessis	Malone	
Total - 38		

NAYS

Total - 0

ABSENT

Total - 0

The Chair declared the amended bill was passed. The title was read and adopted. Senator Murray moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 587—

BY REPRESENTATIVE ODINET
AN ACT

To enact R.S. 56:431.1, relative to oyster leases; to authorize the use of devices to protect oysters from predation on oyster leases; to provide for permitting and regulating such devices; and to provide for related matters.

Floor Amendments Sent Up

Senator Malone sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Malone to Reengrossed House Bill No. 587 by Representative Odinet

AMENDMENT NO.1

On page 2, delete lines 10 through 15, and insert
"(4) That the vertical profile of the device shall not raise the water bottom by more than one-half foot or shall be limited to one-tenth of the depth of the water where the device is located, whichever measure is larger, and that the device shall not restrict the free passage of fish and other marine life over the device."

On motion of Senator Malone, the amendments were adopted.

The bill was read by title. Senator Dupre moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	McPherson
Adley	Fields	Michot
Amedee	Fontenot	Mount
Bajoie	Gautreaux B	Murray
Barham	Gautreaux N	Nevers
Boasso	Heitmeier	Romero
Cain	Hollis	Schedler
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Duplessis	Malone	
Dupre	Marionneaux	
Total - 37		

NAYS

Total - 0

ABSENT

Broome

Total - 1

The Chair declared the amended bill was passed. The title was read and adopted. Senator Dupre moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 598—

BY REPRESENTATIVE LAFONTA

AN ACT

To amend and reenact R.S. 25:738(A), 752, and 760(A), relative to historic preservation; to provide for procedures for approval of applications for certificates of appropriateness for certain new construction in certain districts; to provide for the population of municipalities, parishes, and governmental units to which the law relative to historic preservation districts and historic landmarks commissions applies; and to provide for related matters.

Floor Amendments Sent Up

Senator Duplessis sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Duplessis to Reengrossed House Bill No. 598 by Representative LaFonta

AMENDMENT NO. 1

Delete Senate Committee Amendment Nos. 1 through 8 proposed by the Senate Committee on Local and Municipal Affairs and adopted by the Senate on June 13, 2005

AMENDMENT NO. 2

Delete Legislative Bureau Amendment Nos. 1 through 3 proposed by the Legislative Bureau and adopted by the Senate on June 14, 2005

AMENDMENT NO. 3

On page 1, line 3, after "provide for" delete the remainder of the line and insert "mandatory public hearings in certain circumstances, to provide for notification of a legislator;"

AMENDMENT NO. 4

On page 1, line 4, delete "for certain new construction in certain districts;"

AMENDMENT NO. 5

On page 2, delete lines 3 through 29 and on page 3, delete lines 1 through 15 and insert the following:

"(2)(a) Notwithstanding any other provision of this Section to the contrary, when an application for a certificate of appropriateness is filed with the commission for the renovation of an existing structure or new construction when the renovated structure or new construction exceeds fifteen thousand square feet of floor space or exceeds five stories, two public hearings in relation thereto shall be held at which any citizen shall have an opportunity to be heard. Such public hearings shall be held on separate days, not less than thirty days prior to the date the application for the certificate of appropriateness is to be acted upon by the commission. Notice of such public hearings shall be published in the newspaper with the largest general circulation in the area of the historic preservation district in which the proposed existing renovated structure or new construction is to be located.

(b) Whenever the commission schedules the public hearings as provided for in Subparagraph (2)(a) of this Subsection, the commission shall notify each legislator whose district overlaps any portion of the historic preservation district in which the proposed existing renovated structure or new construction is to be located. The notice to the legislator shall be provided at least five calendar days prior to the first public hearing."

AMENDMENT NO. 6

On page 4, delete lines 16 through 29 and on page 5, delete lines 1 through 28 and insert the following:

"(2)(a) Notwithstanding any other provision of this Section to the contrary, when an application for a certificate of appropriateness is filed with the commission for the renovation of an existing structure or new construction when the renovated structure or new construction exceeds fifteen thousand square feet of floor space or exceeds five stories, two public hearings in relation thereto shall be held at which any citizen shall have an opportunity to be heard. Such public hearings shall be held on separate days, not less than thirty days prior to the date the application for the certificate of appropriateness is to be acted upon by the commission. Notice of such public hearings shall be published in the newspaper with the largest general circulation in the area of the historic preservation district in which the proposed existing renovated structure or new construction is to be located.

(b) Whenever the commission schedules the public hearings as provided for in Subparagraph (2)(a) of this Subsection, the commission shall notify each legislator whose district overlaps any portion of the historic preservation district in which the proposed existing renovated structure or new construction is to be located. The notice to the legislator shall be provided at least five calendar days prior to the first public hearing."

On motion of Senator Duplessis, the amendments were adopted.

Senator Ellington in the Chair**Motion**

Senator Heitmeier moved to table the entire subject matter.

Senator Murray objected.

ROLL CALL

The roll was called with the following result:

YEAS

Adeley	Gautreaux B	Malone
Amedee	Heitmeier	Michot
Boasso	Hollis	Mount
Broome	Jackson	Schedler
Ellington	Kostelka	Smith
Fontenot	Lentini	Theunissen

Total - 18

NAYS

Barham	Dardenne	Marionneaux
Cain	Duplessis	Murray
Chaisson	Dupre	Romero
Cheek	Fields	Shepherd
Cravins	Gautreaux N	Ullo

Total - 15

ABSENT

Mr. President	Jones	Nevers
Bajoie	McPherson	

Total - 5

The Chair declared the entire subject matter was tabled.

HOUSE BILL NO. 628—

BY REPRESENTATIVES QUEZAIRE, GLOVER, ALARIO, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BARROW, BEARD, BRUCE, BURNS, BURRELL, K. CARTER, CAZAYOUX, CRAVINS, CURTIS, DAMICO, DARTEZ, DOERGE, DORSEY, DOVE, DOWNS, FARRAR, FAUCHEUX, FRITH, GRAY, GREENE, E. GUILLORY, M. GUILLORY, HEBERT, HILL, HONEY, HUNTER, HUTTER, JACKSON, JEFFERSON, KATZ, KENNEY, LABRUZZO, LAFLEUR, LAFONTA, LANCASTER, MARCHAND, MARTINY, MCVEA, MORRELL, PIERRE, PITRE, T. POWELL, RICHMOND, RITCHIE, SALTER, SCALISE, SMILEY, GARY SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, THOMPSON, TOWNSEND, TRAHAN, TRICHE, WADDELL, WHITE, WOOTON, AND WRIGHT

AN ACT

To enact Chapter 20 of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:2001 through 2008, and R.S. 51:931, relative to state procurement and public contracts; to create the Louisiana Initiative for Small Entrepreneurships (the Hudson Initiative); to provide definitions; to provide for certain source selection criteria, contract requirements, and goals with respect to certain procurements and public contracts; to provide for responsibilities of the commissioner of administration and state agencies with respect to the initiative; to provide for eligibility requirements for participation in the initiative; to provide for certification of certain businesses; to provide for reporting; to provide for rulemaking; and to provide for related matters.

Floor Amendments Sent Up

Senator Broome sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Broome to Reengrossed House Bill No. 628 by Representative Quezaire

AMENDMENT NO.1

In Senate Committee Amendment No. 1 proposed by Senate Committee on Finance and adopted by the Senate on June 13, 2005, on page 1, line 2 change "twenty-five full-time" to "fifty full-time"

On motion of Senator Broome, the amendments were adopted.

The bill was read by title. Senator Jones moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Malone
Adley	Ellington	Marionneaux
Amedee	Fields	McPherson
Bajoie	Fontenot	Michot
Barham	Gautreaux B	Mount
Boasso	Gautreaux N	Murray
Broome	Heitmeier	Nevers
Cain	Hollis	Romero
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Total - 36		

NAYS

Total - 0

ABSENT

Duplessis	Schedler
Total - 2	

The Chair declared the amended bill was passed. The title was read and adopted. Senator Jones moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 630— BY REPRESENTATIVE HEBERT

AN ACT

To authorize the secretary of the Department of Wildlife and Fisheries and the commissioner of administration to sell, convey, transfer, assign, and deliver certain state property located in Iberia Parish.

The bill was read by title. Senator Romero moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	McPherson
Adley	Dupre	Michot
Amedee	Ellington	Mount
Bajoie	Fields	Murray
Barham	Fontenot	Nevers
Boasso	Gautreaux N	Romero
Broome	Heitmeier	Schedler
Cain	Jackson	Shepherd
Chaisson	Jones	Smith
Cheek	Kostelka	Theunissen
Cravins	Lentini	Ullo
Dardenne	Malone	
Total - 35		

NAYS

Total - 0

ABSENT

Gautreaux B	Hollis	Marionneaux
Total - 3		

The Chair declared the bill was passed. The title was read and adopted. Senator Romero moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 640— BY REPRESENTATIVE LAFONTA

AN ACT

To enact R.S. 47:1997.1, relative to the ad valorem tax in Orleans Parish; to provide for the payment of a fee to be charged to each tax recipient body to defray the cost of collection; to provide for the deposit and use of the proceeds of such fee; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator Murray moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Marionneaux
Adley	Dupre	McPherson
Amedee	Ellington	Michot
Bajoie	Fields	Mount
Barham	Fontenot	Murray
Boasso	Gautreaux B	Nevers
Broome	Gautreaux N	Romero
Cain	Heitmeier	Smith
Chaisson	Hollis	Theunissen
Cheek	Jackson	Ullo
Cravins	Jones	
Dardenne	Malone	
Total - 34		

NAYS

Lentini
Total - 1

ABSENT

Kostelka	Schedler	Shepherd
Total - 3		

The Chair declared the bill was passed. The title was read and adopted. Senator Murray moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 651—

BY REPRESENTATIVES K. CARTER, ALARIO, ALEXANDER, ANSARDI, BADON, BALDONE, BARROW, BAUDOIN, BOWLER, BRUCE, BURRELL, CAZAYOUX, CRAVINS, CURTIS, DANIEL, DARTEZ, DEWITT, DOERGE, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FAUCHEUX, FRITH, GALLOT, GRAY, GREENE, E. GUILLORY, HEBERT, HILL, HONEY, HOPKINS, HUNTER, HUTTER, JACKSON, KATZ, KENNARD, KENNEY, LAFLEUR, LAFONTA, LANCASTER, MARCHAND, MARTINY, McDONALD, MONTGOMERY, MORRISH, ODINET, PIERRE, PINAC, PITRE, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROBIDEAUX, SALTER, SCALISE, GARY SMITH, JANE SMITH, ST. GERMAIN, THOMPSON, TOWNSEND, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, WINSTON, AND WRIGHT

AN ACT

To enact R.S. 17:171, relative to health insurance status; to provide relative to procedures for providing for the release of certain information relative to health insurance eligibility to public health insurance programs that cover children; and to provide for related matters.

The bill was read by title. Senator Jackson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	McPherson
Adley	Ellington	Michot
Amedee	Fields	Mount
Bajoie	Fontenot	Murray
Barham	Gautreaux B	Nevers
Boasso	Gautreaux N	Romero
Broome	Heitmeier	Schedler
Cain	Hollis	Shepherd
Chaisson	Jackson	Smith
Cheek	Jones	Theunissen
Cravins	Kostelka	Ullo
Dardenne	Lentini	
Duplessis	Malone	
Total - 37		

NAYS

Total - 0

ABSENT

Marionneaux
Total - 1

The Chair declared the bill was passed. The title was read and adopted. Senator Jackson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 668—

BY REPRESENTATIVE KLECKLEY

AN ACT

To enact Subpart C-1 of Part II of Chapter 9 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:4050.1, relative to Calcasieu Parish; to provide relative to the demolition, removal, replacement, repair, and maintenance of any community or individual sewerage system, or parts thereof, located within the parish which by reason of its nature or condition endangers the public welfare or safety; to provide relative to the levying of fines by the governing authority; to authorize the governing authority to file liens against property owners for failure to pay costs owed to such governing authority; and to provide for related matters.

The bill was read by title. Senator Theunissen moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	McPherson
Adley	Fields	Michot
Amedee	Fontenot	Mount
Bajoie	Gautreaux B	Murray
Barham	Gautreaux N	Nevers
Boasso	Heitmeier	Romero
Broome	Hollis	Schedler
Cain	Jackson	Shepherd
Chaisson	Jones	Smith
Cheek	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Duplessis	Malone	
Dupre	Marionneaux	
Total - 37		

NAYS

Cravins
Total - 1

ABSENT

Total - 0

The Chair declared the bill was passed. The title was read and adopted. Senator Theunissen moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Personal Privilege

Senator Cain asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on House Bill No. 668. He voted yea on the bill and had intended to vote nay. He asked that the Official Journal so state.

HOUSE BILL NO. 682—

BY REPRESENTATIVE GEYMAN

AN ACT

To amend and reenact R.S. 11:103(A), (B)(1), and (C), and to enact R.S. 11:103(E) and 108, relative to statewide retirement systems; to provide for contributions; to provide for actuarial soundness and funding of the systems; to provide for a funding review panel; to provide relative to actuarial assumptions; to provide for an effective date; and to provide for related matters.

Floor Amendments Sent Up

Senator Theunissen sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Theunissen to Engrossed House Bill No. 682 by Representative Geymann

AMENDMENT NO. 1

Delete Senate Committee Amendment No. 1 proposed by the Senate Committee on Retirement and adopted by the Senate on June 13, 2005.

AMENDMENT NO. 2

On page 4, line 14, after "the" and before "Union" delete "Louisiana" and insert "International"

AMENDMENT NO. 3

On page 4, at the end of line 15, delete the period "." and insert "from nominations submitted by the organizations in Louisiana affiliated with the International Union of Police Associations."

On motion of Senator Theunissen, the amendments were adopted.

The bill was read by title. Senator Theunissen moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Romero
Cain	Hollis	Schedler
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Duplessis	Malone	
Total - 38		

NAYS

Total - 0

ABSENT

Total - 0

The Chair declared the amended bill was passed. The title was read and adopted. Senator Theunissen moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 683—

BY REPRESENTATIVE DOVE

AN ACT

To amend and reenact R.S. 30:125, 127(A)(introductory paragraph), 128(A) and (B), 136(A)(1)(b) and (c) and (B)(1) and (2), 158, and 213(A), relative to the management and administration of mineral leasing on public lands; to provide relative to registration of lease bidders and transferees; to provide for information to be reported when payors of state royalty change; to provide relative to incorrect royalty reporting; to provide for the deposit of liquidated damages; to authorize the mineral board to waive penalties; to provide relative to confidentiality regarding geophysical and geological survey data; to provide for registration fees and penalties; and to provide for related matters.

The bill was read by title. Senator B. Gautreaux moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	McPherson
Adley	Fields	Michot
Amedee	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Romero
Cain	Hollis	Schedler
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Duplessis	Malone	
Dupre	Marionneaux	
Total - 37		

NAYS

Total - 0

ABSENT

Bajoie

Total - 1

The Chair declared the bill was passed. The title was read and adopted. Senator B. Gautreaux moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 701—

BY REPRESENTATIVE BAUDOIN

AN ACT

To enact R.S. 41:15, relative to hunting on state land; to provide for certain restrictions to deer hunting equipment on state lands; and to provide for related matters.

The bill was read by title. Senator Michot moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Malone
Adley	Ellington	Marionneaux
Amedee	Fields	McPherson
Barham	Fontenot	Michot
Boasso	Gautreaux B	Mount
Broome	Gautreaux N	Murray
Chaisson	Heitmeier	Romero
Cheek	Hollis	Schedler
Cravins	Jackson	Shepherd
Dardenne	Jones	Theunissen
Duplessis	Lentini	Ullo
Total - 33		

NAYS

Cain
Total - 3

Nevers

Smith

ABSENT

Bajoie

Total - 2

Kostelka

The Chair declared the bill was passed. The title was read and adopted. Senator Michot moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Senator Barham in the Chair

HOUSE BILL NO. 715—

BY REPRESENTATIVES HOPKINS, SALTER, AND JOHNS

AN ACT

To authorize the state of Louisiana to forgive certain debt due to the state from the Sabine River Authority; to provide for an effective date; and to provide for related matters.

Floor Amendments Sent Up

Senator Smith sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Smith to Reengrossed House Bill No. 715 by Representative Hopkins

AMENDMENT NO. 1

On page 1, line 14 after "2008," insert the following:

"Provided, however, that any funds recovered because of such debt forgiveness shall be used for repairs and operating expenses of the Diversion Channel and Water Distribution System."

On motion of Senator Smith, the amendments were adopted.

The bill was read by title. Senator Smith moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	McPherson
Adley	Ellington	Michot
Amedee	Fields	Mount
Bajoie	Fontenot	Murray
Barham	Gautreaux B	Nevers
Boasso	Gautreaux N	Romero
Broome	Heitmeier	Schedler
Cain	Hollis	Shepherd
Chaisson	Jackson	Smith
Cheek	Jones	Theunissen
Cravins	Kostelka	Ullo
Dardenne	Malone	
Duplessis	Marionneaux	
Total - 37		

NAYS

Lentini
Total - 1

ABSENT

Total - 0

The Chair declared the amended bill was passed. The title was read and adopted. Senator Smith moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 724—

BY REPRESENTATIVE ERDEY

AN ACT

To amend and reenact R.S. 11:701(33)(a)(ii) and (b)(ii) and to enact R.S. 11:411(6), relative to membership in the Louisiana State Employees' Retirement System and the Teachers' Retirement System of Louisiana; to provide for membership eligibility; to provide for definitions; and to provide for related matters.

The bill was read by title. Senator Dardenne moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Marionneaux
Adley	Dupre	McPherson
Amedee	Ellington	Michot
Bajoie	Fields	Mount
Barham	Fontenot	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Romero
Cain	Hollis	Schedler
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Cravins	Lentini	Theunissen
Dardenne	Malone	Ullo
Total - 36		

NAYS

Total - 0

ABSENT

Gautreaux B Kostelka

Total - 2

The Chair declared the bill was passed. The title was read and adopted. Senator Dardenne moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 820—

BY REPRESENTATIVE DOVE

AN ACT

To amend and reenact R.S. 33:130.252(A)(1) and (2)(e) and (B) and 130.261(C), to enact R.S. 33:130.261(D) and (E), and to repeal R.S. 33:130.255(A)(4), relative to the Terrebonne Economic Development Authority; to provide relative to the appointment and qualifications of members of the board of commissioners and filling board vacancies; to provide relative to the annual budget, financial reports, and expropriation powers of the authority; and to provide for related matters.

The bill was read by title. Senator B. Gautreaux moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	McPherson
Adley	Fields	Michot
Amedee	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Romero
Cain	Hollis	Schedler
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Duplessis	Malone	
Dupre	Marionneaux	
Total - 37		

NAYS

Total - 0

ABSENT

Bajoie
Total - 1

The Chair declared the bill was passed. The title was read and adopted. Senator B. Gautreaux moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 840—

BY REPRESENTATIVE ALARIO

AN ACT

To amend and reenact R.S. 51:1286(C), relative to the tax levied by the Louisiana Tourism Promotion District; to provide for the pledge and dedication for certain tourism purposes; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator Heitmeier moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	McPherson
Adley	Fields	Michot
Amedee	Fontenot	Mount
Bajoie	Gautreaux B	Murray

Barham	Gautreaux N	Nevers
Boasso	Heitmeier	Romero
Broome	Hollis	Schedler
Cain	Jackson	Shepherd
Chaisson	Jones	Smith
Cheek	Kostelka	Theunissen
Cravins	Lentini	Ullo
Dardenne	Malone	
Dupre	Marionneaux	
Total - 37		

NAYS

Total - 0

ABSENT

Duplessis
Total - 1

The Chair declared the bill was passed. The title was read and adopted. Senator Heitmeier moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 878— (Substitute for House Bill No. 198 by Representative Thompson)

BY REPRESENTATIVE THOMPSON
AN ACT

To enact R.S. 33:1448(P), relative to group insurance premiums; to provide for the payment of insurance premiums for certain retired sheriffs and retired deputy sheriffs in Richland Parish; and to provide for related matters.

The bill was read by title. Senator Smith moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	McPherson
Adley	Fields	Michot
Amedee	Fontenot	Mount
Bajoie	Gautreaux B	Murray
Barham	Gautreaux N	Nevers
Boasso	Heitmeier	Romero
Broome	Hollis	Schedler
Cain	Jackson	Shepherd
Chaisson	Jones	Smith
Cheek	Kostelka	Theunissen
Cravins	Lentini	Ullo
Dardenne	Malone	
Dupre	Marionneaux	
Total - 37		

NAYS

Total - 0

ABSENT

Duplessis
Total - 1

The Chair declared the bill was passed. The title was read and adopted. Senator Smith moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Mr. President in the Chair

HOUSE BILL NO. 879— (Substitute for House Bill No. 309 by Representative Frith)

BY REPRESENTATIVE FRITH
AN ACT

To enact R.S. 33:4574.1.1(O), relative to hotel occupancy taxes; to require the parish tourist commission in certain parishes to

increase the hotel occupancy tax; to provide with respect to the authority and responsibility of the commission; to provide for the dedication of the proceeds from the increase; and to provide for related matters.

Floor Amendments Sent Up

Senator N. Gautreaux sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator N. Gautreaux to Engrossed House Bill No. 879 by Representative Frith

AMENDMENT NO. 1

On page 2, line 18 change "thirty" to "sixty"

On motion of Senator N. Gautreaux, the amendments were adopted.

The bill was read by title. Senator N. Gautreaux moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Romero
Chaisson	Hollis	Shepherd
Cheek	Jackson	Smith
Cravins	Jones	Theunissen
Dardenne	Kostelka	Ullo
Duplessis	Malone	
Total - 35		

NAYS

Lentini
Total - 1

ABSENT

Cain
Total - 2

The Chair declared the amended bill was passed. The title was read and adopted. Senator N. Gautreaux moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 886— (Substitute for House Bill No. 591 by Representative Jane Smith)

BY REPRESENTATIVE JANE SMITH
AN ACT

To amend and reenact R.S. 17:100.1, relative to alternative educational programs for certain students; to require that certain adjudicated children and children in the custody of the office of youth development shall be counted by certain local public school boards for funding purposes under certain circumstances; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator Ullo moved the final passage of the bill.

June 16, 2005

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	McPherson
Adley	Fields	Michot
Amedee	Fontenot	Mount
Bajoie	Gautreaux B	Murray
Barham	Gautreaux N	Nevers
Boasso	Heitmeier	Romero
Broome	Hollis	Schedler
Cain	Jackson	Shepherd
Chaisson	Jones	Smith
Cheek	Kostelka	Theunissen
Cravins	Lentini	Ullo
Dardenne	Malone	
Dupre	Marionneaux	
Total - 37		

NAYS

Total - 0

ABSENT

Duplessis
Total - 1

The Chair declared the bill was passed. The title was read and adopted. Senator Ullo moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Rules Suspended

Senator Ullo asked for and obtained a suspension of the rules for the purpose of reverting to the Morning Hour.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House**HOUSE CONFEREES APPOINTED**

June 16, 2005

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to Senate Bill No. 205 by Senator Duplessis:

Representatives Pinac, Bowler and Ritchie.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House**HOUSE CONFEREES APPOINTED**

June 16, 2005

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like

committee from the Senate, on the disagreement to House Bill No. 749 by Representative Hutter:

Representatives Walker, Vice and Waddell.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House**PASSED SENATE BILLS AND JOINT RESOLUTIONS**

June 16, 2005

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed the following Senate Bills and Joint Resolutions:

SENATE BILL NO. 161—
BY SENATOR AMEDEE**AN ACT**

To amend and reenact Children's Code Arts. 615(B)(1) and (2), 619(B) and (C), 620(C), 622(A)(introductory paragraph) and (1), (2), and (4), 624(A), 627(B), and R.S. 14:92.2(B), and to enact Children's Code Arts. 603(18) and (19), 624(G) and (H), and R.S. 14:92.2(A)(3), relative to children in need of care; to provide relative to definitions for the removal of a child in need of care; to provide with respect to instant removal of a child in need of care; to provide for provisional custody of a child in need of care; to provide for a court ordered safety plan to insure the protection of a child; to provide for penalties for improper supervision of a minor child; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 180—
BY SENATOR MALONE**AN ACT**

To amend and reenact R. S. 9:2343(E)(1), relative to public trusts; to provide relative to public trust contracts for construction, labor, equipment, or repairs; to provide relative to compliance with public bid requirements for such contracts; to remove exemption from such compliance for certain economic development facilities and activities; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 216—

BY SENATORS DUPRE, HINES, BAJOE, HEITMEIER, MCPHERSON AND MOUNT AND REPRESENTATIVES ALARIO, DORSEY, HAMMETT AND SALTER AND SENATORS ADLEY, AMEDEE, BARHAM, BOASSO, BROOME, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MARIONNEAUX, MICHOT, MURRAY, NEVERS, ROMERO, SCHEDLER, SMITH, THEUNISSEN AND ULLO AND REPRESENTATIVES ALEXANDER, ANSARDI, ARNOLD, BALDONE, BAUDOUIN, BAYLOR, BEARD, BOWLER, BRUCE, BRUNEAU, BURRELL, R. CARTER, CAZAYOUX, CRAVINS, DAMICO, DARTEZ, DEWITT, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FRITH, GLOVER, GREENE, E. GUILLORY, M. GUILLORY, HEATON, HEBERT, HILL, HUTTER, JACKSON, JEFFERSON, JOHNS, KATZ, KENNARD, KENNEY, KLECKLEY, LAMBERT, LANCASTER, MARTINY, McDONALD, ODINET, PIERRE, PINAC, PITRE, T. POWELL, M. POWELL, RICHMOND, RITCHIE, ROBIDEAUX, ROMERO, SCALISE, SCHNEIDER, SHEPHERD, JACK SMITH, JOHN SMITH, GARY SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TUCKER, WALKER, WALSWORTH, WINSTON, WOOTON AND WRIGHT

AN ACT

To enact Part III of Chapter 2 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:120 through 122, Subpart I of Part I of Chapter 1 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:120.31, and R.S. 47:297.5 and 306.2, relative to military affairs; to provide relative to military family assistance; to create

and provide for donations to the Louisiana Military Family Assistance Fund; to create the Louisiana Military Family Assistance Board, and provide for its composition, powers, and duties; to provide relative to the manner and procedure for distributing money from the fund; to provide terms, procedures, definitions, conditions, and requirements; to provide relative to donation of tax refunds and donations in excess of tax due; to exempt payments from the Military Family Assistance Fund from state individual income tax; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 322—
BY SENATOR FONTENOT

AN ACT

To enact R.S. 47:6020, relative to income tax credits; to provide relative to environmental economic development incentives; to provide for income tax credits for brownfields investors; to provide for definitions; to provide for certification of such brownfields projects; to provide for the administration, amount, eligibility, use, and other transactions of such credits; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 46—
BY SENATOR MURRAY AND REPRESENTATIVE MORRELL
AN ACT

To amend and reenact R.S. 38:2219(A)(3), relative to public contracts; to provide relative to contracts with the New Orleans Sewerage and Water Board for the purchase of goods and services; to increase that amount which is not subject to performance or surety bond requirements; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 52—
BY SENATOR CHEEK AND REPRESENTATIVE BRUCE
AN ACT

To enact R.S. 42:1121(H), relative to the Code of Governmental Ethics; to provide for an exception to the post-service restrictions to allow certain employment by the board of commissioners of the DeSoto Parish Waterworks District No.1; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 24—
BY SENATORS CAIN, CHEEK, DUPRE, HOLLIS, KOSTELKA, MCPHERSON, MICHOT, MOUNT AND SCHEDLER AND REPRESENTATIVES BADON, BALDONE, BAUDIN, BRUCE, CRAVINS, DARTEZ, DOWNS, FRITH, GEYMAN, HILL, HUTTER, KATZ, KENNEY, MCDONALD, MONTGOMERY, T. POWELL, JACK SMITH, WALKER, WALSWORTH AND WRIGHT
AN ACT

To amend and reenact R.S. 3:1355(A) and to enact R.S. 3:1355(B), R.S. 14:67.19.1 and R.S. 40:962.1.2, relative to certain controlled dangerous substances; to prohibit the unauthorized possession of anhydrous ammonia for use in the sale of certain controlled dangerous substances; to restrict the sale of ephedrine, pseudoephedrine, or phenylpropanolamine or their salts, optical isomers and salts of optical isomers used in the manufacture of methamphetamines; to require that pharmacies maintain records on purchases of certain restricted substances used to manufacture methamphetamine; to provide exceptions for substances formulated so as to prevent conversion of certain active ingredients; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 187—

BY SENATORS DUPRE, N. GAUTREAUX, MALONE, MCPHERSON, MICHOT AND ROMERO AND REPRESENTATIVES BALDONE, PITRE AND ST. GERMAIN

A JOINT RESOLUTION

Proposing to add Article VII, Section 10.2(E) of the Constitution of Louisiana, relative to the Wetlands Conservation and Restoration Fund; to provide relative to certain federal revenues received by the state generated from Outer Continental Shelf oil and gas activity; to provide for the depositing and crediting of such monies into the Wetlands Conservation and Restoration Fund, and for the uses of such federal revenues; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Reported with amendments.

SENATE BILL NO. 195—

BY SENATORS DUPRE, BAJOE, N. GAUTREAUX, HINES, MALONE, MCPHERSON, MICHOT, MOUNT AND ROMERO AND REPRESENTATIVES ALARIO, BALDONE, DORSEY, HAMMETT, PITRE, SALTER AND ST. GERMAIN

AN ACT

To amend and reenact R.S. 49:213.7(A)(2)(introductory paragraph), (C) and (D), and to enact R.S. 49:213.7(B)(3) and (E)(7), relative to the Wetlands Conservation and Restoration Fund; to provide relative to certain federal revenues to be credited and deposited to the fund; to provide relative to fund uses; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 256—
BY SENATORS MOUNT AND MARIONNEAUX
AN ACT

To enact R.S. 17:1686 and 1686.1, relative to scholarships for children of military personnel killed as a result of duty in certain theaters of military operation; to provide for definitions; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 355— (Substitute of Senate Bill No. 234 by Senator Ullo)

BY SENATOR ULLO

AN ACT

To enact R.S. 17:3048.5, relative to the Louisiana Tuition Opportunity Program for Students; to provide for a TOPS-Tech Early Start Award; to provide for eligibility and continuation requirements for such award; to provide for the administration and implementation of such award program; to provide for recommendations relative to TOPS-Tech; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 20—
BY SENATOR MICHOT

AN ACT

To amend and reenact R.S. 24:771(3) and 772, relative to reports provided to the legislature; to provide for definitions; to provide for record maintenance and retrieval; to require audit determination of reporting compliance; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 182—
BY SENATOR DUPRE

AN ACT

To enact Subpart A-3 of Part II of Chapter 2 of Subtitle 1 of Title 30 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 30:150, relative to mineral leases; to provide relative to mineral leases on state lands; to provide certain drilling incentives; to provide relative to royalties; to create the Louisiana Royalty Relief Dry Hole Credit Program; to provide

certain terms, conditions, procedures, and requirements; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 53—

BY SENATORS FIELDS, JONES, AMEDEE, BROOME, CAIN, CHAISSON, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FONTENOT, N. GAUTREAUX, HINES, JACKSON, MALONE, MARIONNEAUX, MCPHERSON, MURRAY, SCHEDLER, SMITH AND THEUNISSEN

AN ACT

To amend and reenact R.S. 18: 481, 511(A) and (B), and 512(B), relative to the election of United States senators and representative in congress; to provide for congressional candidates to be elected only in a general election; to provide for election dates; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
ALFRED W. SPEER

Clerk of the House of Representatives

Message from the House

**CONCURRING IN
SENATE CONCURRENT RESOLUTIONS**

June 16, 2005

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally concurred in the following Senate Concurrent Resolutions:

SENATE CONCURRENT RESOLUTION NO. 121—

BY SENATOR SMITH AND REPRESENTATIVE FANNIN

A CONCURRENT RESOLUTION

To recognize and commend Russell Sullivan for a lifetime of dedication to agricultural education.

Reported without amendments.

Respectfully submitted,
ALFRED W. SPEER

Clerk of the House of Representatives

**Introduction of Resolutions,
Senate and Concurrent**

Senator Bajoie asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Resolutions, Senate and Concurrent, a first and second time and acting upon them as follows:

SENATE RESOLUTION NO. 144—

BY SENATOR ELLINGTON

A RESOLUTION

To create and provide with respect to a group to study issues relative to state participation in and implementation of the Federal Railroad Safety Program State Participation Agreement and to make recommendations on legislation for the 2006 Regular Session.

On motion of Senator Ellington, the resolution was read by title and adopted.

SENATE RESOLUTION NO. 145—

BY SENATOR MARIONNEAUX

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of Linda J. Villar upon her death during a terrorist rocket attack on an American forward operating base.

On motion of Senator Marionneaux, the resolution was read by title and adopted.

SENATE CONCURRENT RESOLUTION NO. 122—

BY SENATOR DARDENNE

A CONCURRENT RESOLUTION

To urge and request the Department of Public Safety and Corrections and the Department of Health and Hospitals to study the issue and to consider sending prisoners at Angola State Penitentiary who are in need of hospital care to facilities other than Earl K. Long Medical Center in Baton Rouge, particularly Villa Feliciana Medical Complex and other rural hospitals that are closer to the prison.

The resolution was read by title. Senator Dardenne moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Lentini
Adley	Dupre	Malone
Amedee	Ellington	Marionneaux
Bajoie	Fields	McPherson
Barham	Fontenot	Michot
Boasso	Gautreaux B	Murray
Broome	Gautreaux N	Nevers
Cain	Heitmeier	Shepherd
Cheek	Hollis	Smith
Cravins	Jones	Theunissen
Dardenne	Kostelka	Ullo
Total - 33		

NAYS

Total - 0

ABSENT

Chaisson	Mount	Schedler
Jackson	Romero	
Total - 5		

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

SENATE CONCURRENT RESOLUTION NO. 123—

BY SENATOR MICHOT

A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of Robley P. "Shine" Domingue, a devoted public servant, husband, father, brother, grandfather and great-grandfather.

The resolution was read by title. Senator Michot moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Malone
Adley	Dupre	Marionneaux
Amedee	Ellington	McPherson
Bajoie	Fields	Michot
Barham	Fontenot	Murray
Boasso	Gautreaux B	Nevers
Broome	Gautreaux N	Romero
Cain	Heitmeier	Shepherd
Chaisson	Hollis	Smith
Cheek	Jackson	Theunissen

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Cravins
Dardenne
Total - 35

Jones
Lentini

Ullo

NAYS

Total - 0

ABSENT

Kostelka
Total - 3

Mount

Schedler

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

SENATE CONCURRENT RESOLUTION NO. 124— BY SENATOR MURRAY

A CONCURRENT RESOLUTION

To authorize and direct the office of public health of the Department of Health and Hospitals to expeditiously develop, adopt, and promulgate emergency and permanent rules in the Sanitary Code to permit the renovation and operation of the Farmers Market in the New Orleans French Market.

The resolution was read by title. Senator Murray moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Adley
Amedee
Bajoie
Barham
Boasso
Broome
Cain
Chaisson
Cheek
Cravins
Dardenne
Total - 36

Duplessis
Dupre
Ellington
Fields
Fontenot
Gautreaux B
Gautreaux N
Heitmeier
Hollis
Jackson
Jones
Kostelka

Lentini
Malone
Marionneaux
McPherson
Michot
Murray
Nevers
Romero
Shepherd
Smith
Theunissen
Ullo

NAYS

Total - 0

ABSENT

Mount
Total - 2

Schedler

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

SENATE CONCURRENT RESOLUTION NO. 125— BY SENATOR ULLO AND REPRESENTATIVE CRANE

A CONCURRENT RESOLUTION

To provide for legislative approval of the formula to determine the cost of a minimum foundation program of education in all public elementary and secondary schools as well as to equitably allocate the funds to parish and city school systems as developed by the State Board of Elementary and Secondary Education and adopted by the board on March 7, 2005, and as subsequently revised pursuant to board action on June 16, 2005.

The resolution was read by title. Senator Ullo moved to adopt the Senate Concurrent Resolution.

The resolution was read by title; lies over under the rules.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

ASKING CONCURRENCE IN HOUSE CONCURRENT RESOLUTIONS

June 16, 2005

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Concurrent Resolutions:

HOUSE CONCURRENT RESOLUTION NO. 198— BY REPRESENTATIVE WALKER

A CONCURRENT RESOLUTION

To commend Louisiana Economic Development for obtaining ISO 9001:2000 registration for its commitment to quality and to recognize its outstanding contributions in forwarding the state's master plan for economic development, Louisiana: Vision 2020.

HOUSE CONCURRENT RESOLUTION NO. 199— BY REPRESENTATIVE HUTTER

A CONCURRENT RESOLUTION

To designate St. Bernard Parish as the "Redfish Capital of Louisiana" and to recognize the economic impact of the fishing industry in St. Bernard Parish and the state of Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 200— BY REPRESENTATIVE SCALISE

A CONCURRENT RESOLUTION

To commend Taylor Hackford, director of the outstanding film Ray, upon the nomination of the film for the Academy Award for Best Motion Picture of the Year and his nomination as Best Director.

HOUSE CONCURRENT RESOLUTION NO. 185— BY REPRESENTATIVE QUEZAIRE

A CONCURRENT RESOLUTION

To urge and request railroads to increase contributions for railroad grade crossing safety improvements.

HOUSE CONCURRENT RESOLUTION NO. 189— BY REPRESENTATIVE WALSWORTH

A CONCURRENT RESOLUTION

To urge and request the attorneys representing the state of Louisiana in the Henderson v. Stalder case to seek relief from the United States District Court for the Eastern District of Louisiana from the injunction which prohibits the office of motor vehicles from issuing special prestige license plates, including special prestige license plates created for the military and military personnel.

HOUSE CONCURRENT RESOLUTION NO. 201— BY REPRESENTATIVE SCALISE

A CONCURRENT RESOLUTION

To commend Jamie Foxx for winning an Academy Award for his performance in Ray.

HOUSE CONCURRENT RESOLUTION NO. 202— BY REPRESENTATIVE SCALISE

A CONCURRENT RESOLUTION

To commend Stuart Benjamin, executive producer, for his involvement in the production of the acclaimed motion picture Ray.

HOUSE CONCURRENT RESOLUTION NO. 192— BY REPRESENTATIVE BEARD

A CONCURRENT RESOLUTION

To urge and request the Planning and Zoning Commission of the parish of East Baton Rouge and the city of Baton Rouge to revisit the decision of the commission approving development

June 16, 2005

of the land area presently known as the Shenandoah Golf Club and to urge and request the Metropolitan Council of the parish of East Baton Rouge and the city of Baton Rouge to pass a resolution which would maintain the current use of the Shenandoah Golf Club as a recreational land use area as designated under the Horizon Plan map and prohibit the city-parish government from taking any action or issuing any permit which would allow any development to proceed pending a decision of the court of appeals in the case of Residents of Shenandoah Estates vs. Greentrails, L.L.C.

HOUSE CONCURRENT RESOLUTION NO. 80—

BY REPRESENTATIVES THOMPSON AND KENNEY
A CONCURRENT RESOLUTION

To urge and request the Board of Supervisors for the University of Louisiana System to study the feasibility of establishing a university laboratory school on or near the campus of the University of Louisiana at Monroe and to report the study findings and recommendations to the House Committee on Education and the Senate Committee on Education prior to the convening of the 2006 Regular Session.

HOUSE CONCURRENT RESOLUTION NO. 169—

BY REPRESENTATIVES GLOVER, ARNOLD, BALDONE, BAYLOR, BRUCE, BURRELL, K. CARTER, CRAVINS, CURTIS, DORSEY, DOVE, FAUCHEUX, FRITH, GRAY, GREENE, E. GUILLORY, HEATON, HILL, HOPKINS, JACKSON, JEFFERSON, KATZ, KENNEY, LAFONTA, MARCHAND, ODINET, PIERRE, PITRE, M. POWELL, QUEZAIRE, RICHMOND, ROBIDEAUX, SHEPHERD, GARY SMITH, JANE SMITH, ST. GERMAIN, THOMPSON, WADDELL, WALKER, AND WHITE
A CONCURRENT RESOLUTION

To urge and request the House Committee on Commerce and the Senate Committee on Commerce, Consumer Protection, and International Affairs to meet and function as a joint committee for the purpose of conducting a thorough study of the current status of the automobile manufacturing industry in the state and measures needed to stabilize and secure the industry and to access opportunities to advance the industry.

HOUSE CONCURRENT RESOLUTION NO. 170—

BY REPRESENTATIVE GRAY
A CONCURRENT RESOLUTION

To urge and request the House Committee on Labor and Industrial Relations and the Senate Committee on Labor and Industrial Relations to meet and function as a joint committee to study domestic abuse, its effect in the workplace, and to submit a report of its findings and recommendations to the governor and the legislature prior to the 2006 Regular Session of the Legislature.

HOUSE CONCURRENT RESOLUTION NO. 178—

BY REPRESENTATIVE GALLOT AND SENATOR MICHOT
A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to study the duties of clerks of court and recorders of mortgages and conveyances to maintain and preserve original, electronic, and historic records affecting immovable property.

HOUSE CONCURRENT RESOLUTION NO. 179—

BY REPRESENTATIVE GRAY
A CONCURRENT RESOLUTION

To continue the work of House Concurrent Resolution No. 289 of the 2004 Regular Session regarding the study of issues relating to juvenile competency by creating a task force and to extend the period of time for the study of such issues to June 1, 2006.

HOUSE CONCURRENT RESOLUTION NO. 182—

BY REPRESENTATIVE GLOVER
A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals to study all viable opportunities to offer prescription drugs at no cost or reduced cost to Louisiana's uninsured and under-insured populations.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

House Concurrent Resolutions on First Reading

The following House Concurrent Resolutions were read a first time by their titles and placed on the Calendar for their second reading:

HOUSE CONCURRENT RESOLUTION NO. 80—

BY REPRESENTATIVES THOMPSON AND KENNEY
A CONCURRENT RESOLUTION

To urge and request the Board of Supervisors for the University of Louisiana System to study the feasibility of establishing a university laboratory school on or near the campus of the University of Louisiana at Monroe and to report the study findings and recommendations to the House Committee on Education and the Senate Committee on Education prior to the convening of the 2006 Regular Session.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 169—

BY REPRESENTATIVES GLOVER, ARNOLD, BALDONE, BAYLOR, BRUCE, BURRELL, K. CARTER, CRAVINS, CURTIS, DORSEY, DOVE, FAUCHEUX, FRITH, GRAY, GREENE, E. GUILLORY, HEATON, HILL, HOPKINS, JACKSON, JEFFERSON, KATZ, KENNEY, LAFONTA, MARCHAND, ODINET, PIERRE, PITRE, M. POWELL, QUEZAIRE, RICHMOND, ROBIDEAUX, SHEPHERD, GARY SMITH, JANE SMITH, ST. GERMAIN, THOMPSON, WADDELL, WALKER, AND WHITE
A CONCURRENT RESOLUTION

To urge and request the House Committee on Commerce and the Senate Committee on Commerce, Consumer Protection, and International Affairs to meet and function as a joint committee for the purpose of conducting a thorough study of the current status of the automobile manufacturing industry in the state and measures needed to stabilize and secure the industry and to access opportunities to advance the industry.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 170—

BY REPRESENTATIVE GRAY
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To urge and request the House Committee on Labor and Industrial Relations and the Senate Committee on Labor and Industrial Relations to meet and function as a joint committee to study domestic abuse, its effect in the workplace, and to submit a report of its findings and recommendations to the governor and the legislature prior to the 2006 Regular Session of the Legislature.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 178—

BY REPRESENTATIVE GALLOT AND SENATOR MICHOT
A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to study the duties of clerks of court and recorders of mortgages and conveyances to maintain and preserve original, electronic, and historic records affecting immovable property.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 179—

BY REPRESENTATIVE GRAY
A CONCURRENT RESOLUTION

To continue the work of House Concurrent Resolution No. 289 of the 2004 Regular Session regarding the study of issues relating to juvenile competency by creating a task force and to extend the period of time for the study of such issues to June 1, 2006.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 182—
BY REPRESENTATIVE GLOVER
A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals to study all viable opportunities to offer prescription drugs at no cost or reduced cost to Louisiana's uninsured and under-insured populations.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 185—
BY REPRESENTATIVE QUEZAIRE
A CONCURRENT RESOLUTION

To urge and request railroads to increase contributions for railroad grade crossing safety improvements.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 189—
BY REPRESENTATIVE WALSWORTH
A CONCURRENT RESOLUTION

To urge and request the attorneys representing the state of Louisiana in the Henderson v. Stalder case to seek relief from the United States District Court for the Eastern District of Louisiana from the injunction which prohibits the office of motor vehicles from issuing special prestige license plates, including special prestige license plates created for the military and military personnel.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 192—
BY REPRESENTATIVE BEARD
A CONCURRENT RESOLUTION

To urge and request the Planning and Zoning Commission of the parish of East Baton Rouge and the city of Baton Rouge to revisit the decision of the commission approving development of the land area presently known as the Shenandoah Golf Club and to urge and request the Metropolitan Council of the parish of East Baton Rouge and the city of Baton Rouge to pass a resolution which would maintain the current use of the Shenandoah Golf Club as a recreational land use area as designated under the Horizon Plan map and prohibit the city-parish government from taking any action or issuing any permit which would allow any development to proceed pending a decision of the court of appeals in the case of Residents of Shenandoah Estates vs. Greentrails, L.L.C.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 198—
BY REPRESENTATIVE WALKER
A CONCURRENT RESOLUTION

To commend Louisiana Economic Development for obtaining ISO 9001:2000 registration for its commitment to quality and to recognize its outstanding contributions in forwarding the state's master plan for economic development, Louisiana: Vision 2020.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 199—
BY REPRESENTATIVE HUTTER
A CONCURRENT RESOLUTION

To designate St. Bernard Parish as the "Redfish Capital of Louisiana" and to recognize the economic impact of the fishing industry in St. Bernard Parish and the state of Louisiana.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 200—
BY REPRESENTATIVE SCALISE
A CONCURRENT RESOLUTION

To commend Taylor Hackford, director of the outstanding film Ray, upon the nomination of the film for the Academy Award for Best Motion Picture of the Year and his nomination as Best Director.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 201—
BY REPRESENTATIVE SCALISE
A CONCURRENT RESOLUTION

To commend Jamie Foxx for winning an Academy Award for his performance in Ray.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 202—
BY REPRESENTATIVE SCALISE
A CONCURRENT RESOLUTION

To commend Stuart Benjamin, executive producer, for his involvement in the production of the acclaimed motion picture Ray.

The resolution was read by title; lies over under the rules.

Reports of Committees

The following reports of committees were received and read:

**REPORT OF COMMITTEE ON
REVENUE AND FISCAL AFFAIRS**

Senator Mount, Chairman on behalf of the Committee on Revenue and Fiscal Affairs, submitted the following report:

June 16, 2005

To the President and Members of the Senate:

I am directed by your Committee on Revenue and Fiscal Affairs to submit the following report:

HOUSE BILL NO. 631—
BY REPRESENTATIVES K. CARTER, HEATON, AND RICHMOND
AN ACT

To enact R.S. 47:6020, relative to tax credits; to authorize a sound recording investor tax credit against individual and corporation income taxes; to provide for certain procedures and collection; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 747—
BY REPRESENTATIVE HAMMETT
AN ACT

To amend and reenact R.S. 47:301(13)(d) and (18)(d)(ii) and (iii), to define "sales price" for refinery gas sold to another person; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 786—
BY REPRESENTATIVE SALTER
AN ACT

To enact Chapter 51 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:3075 through 3088, relative to the Louisiana Community Development Financial Institution Act; to provide for a credit against income and franchise taxation; to provide for certification and decertification of a Louisiana Community Development Financial Institution; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 862—
BY REPRESENTATIVE BURRELL
AN ACT

To enact Chapter 22 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:1801 through 1808; to establish a tax rebate and credit program to promote urban

revitalization; to provide for the eligibility for and administration of the tax credits and rebates; to provide for tax and other incentives; to provide with respect to financing; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 867—

BY REPRESENTATIVE LABRUZZO
AN ACT

To amend and reenact R.S. 47:303(A)(3) and 337.86(A), relative to the sales and use tax levied by the state and its political subdivisions; to provide with respect to the credit against the use tax for sales and use taxes paid on vehicles purchased and titled in other states; to provide for an effective date; and to provide for related matters.

Reported favorably.

Respectfully submitted,
WILLIE MOUNT
Chairman

REPORT OF COMMITTEE ON

**TRANSPORTATION, HIGHWAYS AND
PUBLIC WORKS**

Senator Ellington, Chairman on behalf of the Committee on Transportation, Highways and Public Works, submitted the following report:

June 16, 2005

To the President and Members of the Senate:

I am directed by your Committee on Transportation, Highways and Public Works to submit the following report:

HOUSE CONCURRENT RESOLUTION NO. 173—

BY REPRESENTATIVE DOVE
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to consider restricting the weight limit of commercial vehicles traveling on Louisiana Highway 316, also known as Bayou Blue Road, in Terrebonne Parish, and to consider reducing the posted speed limit for such highway.

Reported favorably.

HOUSE BILL NO. 285—

BY REPRESENTATIVE CRAVINS
AN ACT

To amend and reenact R.S. 32:171(F)(1) and (2) and 175(C) and to enact R.S. 32:175(D) and R.S. 48:393, relative to penalties for failing to stop at certain railroad grade crossings; to increase the fines for certain railroad grade crossing violations; to provide relative to penalties for certain violations; to require the suspension of driving privileges under certain circumstances; to provide relative to the disposition of a certain portion of penalties for certain railroad grade crossing violations; to create the Railroad Crossing Safety Fund; to provide relative to the administration and use of monies deposited into such fund; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 327—

BY REPRESENTATIVES QUEZAIRE, DOVE, DOWNS, FANNIN, M. GUILLORY, KATZ, LAMBERT, PITRE, M. POWELL, SMILEY, ST. GERMAIN, TUCKER, AND SCALISE AND SENATOR KOSTELKA
AN ACT

To amend and reenact R.S. 47:463.4(D), 466(C), and 473(J), to enact Part II-A of Chapter 4 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:490.1

through 490.18, and to repeal R.S. 47:463.2.1, 463.7, 463.10, 463.11, 463.13, 463.15, 463.16, 463.18, 463.20, 463.25, 463.26, 463.27, 463.29, 463.34, 463.38, 463.42, 463.55, and 463.65, relative to motor vehicle license plates; to provide relative to the creation and issuance of military honor license plates for veterans and military personnel; to repeal provisions establishing and creating certain special prestige license plates for veterans and military personnel; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 744—

BY REPRESENTATIVE CROWE
AN ACT

To enact R.S. 40:1662.19, relative to motor vehicles; to restrict the duplication of keys based on vehicle identification numbers; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 778—

BY REPRESENTATIVE HEATON
AN ACT

To enact R.S. 2:135.1(A)(4), relative to the lease of certain airport facilities; to exempt certain leases from the provisions on leases of public lands; to require the governing authority of certain airports to meet certain requirements; and to provide for related matters.

Reported favorably.

Respectfully submitted,
NOBLE E. ELLINGTON
Chairman

**House Bills and Joint Resolutions
on Second Reading
Reported by Committees**

Senator Ellington asked for and obtained a suspension of the rules to take up at this time the following House Bills and Joint Resolutions just reported by Committees.

HOUSE BILL NO. 285—

BY REPRESENTATIVE CRAVINS
AN ACT

To amend and reenact R.S. 32:171(F)(1) and (2) and 175(C) and to enact R.S. 32:175(D) and R.S. 48:393, relative to penalties for failing to stop at certain railroad grade crossings; to increase the fines for certain railroad grade crossing violations; to provide relative to penalties for certain violations; to require the suspension of driving privileges under certain circumstances; to provide relative to the disposition of a certain portion of penalties for certain railroad grade crossing violations; to create the Railroad Crossing Safety Fund; to provide relative to the administration and use of monies deposited into such fund; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways and Public Works. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 327—

BY REPRESENTATIVES QUEZAIRE, DOVE, DOWNS, FANNIN, M. GUILLORY, KATZ, LAMBERT, PITRE, M. POWELL, SMILEY, ST. GERMAIN, TUCKER, AND SCALISE AND SENATOR KOSTELKA
AN ACT

To amend and reenact R.S. 47:463.4(D), 466(C), and 473(J), to enact Part II-A of Chapter 4 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:490.1 through 490.18, and to repeal R.S. 47:463.2.1, 463.7, 463.10, 463.11, 463.13, 463.15, 463.16, 463.18, 463.20, 463.25, 463.26, 463.27, 463.29, 463.34, 463.38, 463.42, 463.55, and 463.65,

relative to motor vehicle license plates; to provide relative to the creation and issuance of military honor license plates for veterans and military personnel; to repeal provisions establishing and creating certain special prestige license plates for veterans and military personnel; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways and Public Works. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 631—

BY REPRESENTATIVES K. CARTER, HEATON, AND RICHMOND
AN ACT

To enact R.S. 47:6020, relative to tax credits; to authorize a sound recording investor tax credit against individual and corporation income taxes; to provide for certain procedures and collection; and to provide for related matters.

Reported with amendments by the Committee on Revenue and Fiscal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Engrossed House Bill No. 631 by Representative K. Carter

AMENDMENT NO. 1

On page 1, at the top of the page, change "K. CARTER, HEATON, AND RICHMOND" to "HEATON, K. CARTER, AND RICHMOND"

AMENDMENT NO. 2

On page 3, line 19, after "47:6007," insert:

"However, no sound recording production company shall earn a sound recording investor tax credit in more than three years out of any five year period."

AMENDMENT NO. 3

On page 6, at the end of line 16, after "Development," insert:

"An application fee shall be submitted with the application based on the following:

(i) 0.2 percent times the estimated total incentive tax credits.

(ii) The minimum application fee is two hundred dollars, and the maximum application fee is five thousand dollars."

On motion of Senator Mount, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 744—

BY REPRESENTATIVE CROWE
AN ACT

To enact R.S. 40:1662.19, relative to motor vehicles; to restrict the duplication of keys based on vehicle identification numbers; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways and Public Works. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 747—

BY REPRESENTATIVE HAMMETT
AN ACT

To amend and reenact R.S. 47:301(13)(d) and (18)(d)(ii) and (iii), to define "sales price" for refinery gas sold to another person; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 778—

BY REPRESENTATIVE HEATON
AN ACT

To enact R.S. 2:135.1(A)(4), relative to the lease of certain airport facilities; to exempt certain leases from the provisions on leases of public lands; to require the governing authority of certain airports to meet certain requirements; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways and Public Works. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 786—

BY REPRESENTATIVE SALTER
AN ACT

To enact Chapter 51 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:3075 through 3088, relative to the Louisiana Community Development Financial Institution Act; to provide for a credit against income and franchise taxation; to provide for certification and decertification of a Louisiana Community Development Financial Institution; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 862—

BY REPRESENTATIVE BURRELL
AN ACT

To enact Chapter 22 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:1801 through 1808; to establish a tax rebate and credit program to promote urban revitalization; to provide for the eligibility for and administration of the tax credits and rebates; to provide for tax and other incentives; to provide with respect to financing; and to provide for related matters.

Reported with amendments by the Committee on Revenue and Fiscal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Engrossed House Bill No. 862 by Representative Burrell

AMENDMENT NO. 1

On page 5, delete lines 26 through 28 and insert the following:

"excess of the credit over the aggregate tax liabilities against which the credit can be applied shall constitute an overpayment, as defined in R.S. 47:1621(A), and the secretary shall make a refund of such overpayment from the current collections of the taxes imposed by Chapter 1 and Chapter 5 of Subtitle 11 of Title 47 of the Louisiana Revised Statutes of 1950, as amended. The right to a refund of any such overpayment shall not be subject to the requirement of R.S. 47:1621(B)."

On motion of Senator Mount, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 867—

BY REPRESENTATIVE LABRUZZO
AN ACT

To amend and reenact R.S. 47:303(A)(3) and 337.86(A), relative to the sales and use tax levied by the state and its political subdivisions; to provide with respect to the credit against the use tax for sales and use taxes paid on vehicles purchased and titled in other states; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**Appointment of Conference Committee
on Senate Bill No. 205**

The President of the Senate appointed the following members to confer with a like committee from the House for the purpose of considering the disagreement on Senate Bill No. 205: Senators Duplessis, Hollis and Bajoie.

**Appointment of Conference Committee
on House Bill No. 59**

The President of the Senate appointed on the Conference Committee on House Bill No. 59 the following members of the Senate: Senators Mount, Hollis and Nevers.

**Appointment of Conference Committee
on House Bill No. 194**

The President of the Senate appointed on the Conference Committee on House Bill No. 194 the following members of the Senate: Senators Amedee, Shepherd and Marionneaux.

**Appointment of Conference Committee
on House Bill No. 528**

The President of the Senate appointed on the Conference Committee on House Bill No. 528 the following members of the Senate: Senators Jackson, McPherson and Cheek.

**Appointment of Conference Committee
on House Bill No. 561**

The President of the Senate appointed on the Conference Committee on House Bill No. 561 the following members of the Senate: Senators Cravins, Cain and Kostelka.

Message from the House

**SIGNED HOUSE BILLS AND
JOINT RESOLUTIONS**

June 16, 2005

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has signed the following House Bills and Joint Resolutions:

HOUSE BILL NO. 84—
BY REPRESENTATIVES CAZAYOUX AND DORSEY
AN ACT

To enact R.S. 46:2134(G), relative to domestic abuse assistance; to provide for the payment of costs; and to provide for related matters.

and asked that the President of the Senate affix his signature to the same.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

The House Bills and Joint Resolutions contained herein were signed by the President of the Senate.

**Privilege Report of the Committee on
Senate and Governmental Affairs**

ENROLLMENTS

Senator Jones, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

June 16, 2005

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

The following Senate Bills have been properly enrolled:

SENATE BILL NO. 27—
BY SENATORS MCPHERSON, DUPLESSIS AND MURRAY
AN ACT

To enact R.S. 47:305.53 and 337.9(D)(27), relative to sickle cell disease organizations; to provide for a state and political subdivision sales tax exemption; and to provide for related matters.

SENATE BILL NO. 35—
BY SENATOR BARHAM AND REPRESENTATIVE HILL
AN ACT

To enact R.S. 40:2405(H), relative to peace officer standards and training; to provide requirements for former peace officers to retain certain qualifications; to provide relative to the resumption of service as a peace officer; and to provide for related matters.

SENATE BILL NO. 44—
BY SENATORS LENTINI, MCPHERSON AND NEVERS AND
REPRESENTATIVE SCALISE
AN ACT

To enact R.S. 39:362.1, relative to state owned motor vehicles and aircraft; to require the approval of the Joint Legislative Committee on the Budget for the purchase of certain vehicles for use by a statewide elected official; to provide for an effective date; and to provide for related matters.

SENATE BILL NO. 45—
BY SENATOR DUPRE
AN ACT

To amend and reenact R.S. 33:4754(C)(1)(a), relative to liens for removal and securing dangerous structures by certain parishes and municipalities; to include the Terrebonne Parish assessor within the definition of "equivalent officer" for the purposes of certain actions; and to provide for related matters.

SENATE BILL NO. 65—
BY SENATOR KOSTELKA AND REPRESENTATIVES FANNIN,
MCDONALD AND WALSWORTH
AN ACT

To enact R.S. 17:85.11, relative to powers and duties of school boards; to authorize the Ouachita Parish School Board to name an athletic facility at the former Calhoun High School in honor of Jerry Lee Lovett, Sr.; and to provide for related matters.

SENATE BILL NO. 79—
BY SENATOR DUPRE
AN ACT

To enact R.S. 33:9356, relative to veterans' memorial districts; to provide relative to the Veterans' Memorial District of Ward 10 of Lafourche Parish; to provide for a board of commissioners; to provide relative to board membership, composition, selection, powers and duties; and to provide for related matters.

SENATE BILL NO. 107—

BY SENATOR DUPLESSIS

AN ACT

To enact R.S. 6:319, relative to financial institutions; to authorize banks to use additional FDIC insurance coverage to insure excess public funds on deposit; to provide that such funds are considered fully collateralized; and to provide for related matters.

SENATE BILL NO. 138—

BY SENATOR MALONE AND REPRESENTATIVE M. POWELL

AN ACT

To amend and reenact R.S. 47:296.2(C), 296.3(C), and 1516.1(G)(2) and to enact R.S. 47:1584, relative to collection of taxes; to provide for an innocent spouse rule for the collection of taxes and related amounts; and to provide for related matters.

SENATE BILL NO. 196— (Duplicate of House Bill No. 348)

BY SENATOR BARHAM AND REPRESENTATIVE GREENE AND COAUTHORED BY SENATORS KOSTELKA, DUPRE, ROMERO, BOASSO AND SMITH AND REPRESENTATIVES ANSARDI, JOHNS, LABRUZZO, ROBIDEAUX, WALKER, BALDONE, SCALISE AND THOMPSON

AN ACT

To amend and reenact Civil Code Article 466, relative to immovables; to provide relative to the definition of component parts of immovables; to provide relative to which items are considered permanently attached parts; and to provide for related matters.

SENATE BILL NO. 212—

BY SENATOR MARIONNEAUX

AN ACT

To amend and reenact R.S. 13:3049(B)(2)(a), relative to judicial procedure; to provide relative to civil jury trials; to require certain filing fees for such trials; and to provide for related matters.

SENATE BILL NO. 239—

BY SENATOR ULLO AND REPRESENTATIVE THOMPSON

AN ACT

To amend and reenact R.S. 17:24.10(A) and 3995(C), relative to charter schools; to authorize charter schools to apply for and receive funding directly from certain entities, including funding from the state Department of Education for LA 4 classes; to provide with regard to the compliance of a charter school with the terms of a grant; and to provide for related matters.

SENATE BILL NO. 292—

BY SENATORS HINES, CRAVINS, CAIN AND MURRAY AND REPRESENTATIVES FRITH, KLECKLEY, LAFONTA, PINAC, STRAIN, TRAHAN AND WADDELL

AN ACT

To amend and reenact Part IV of Title 4 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 4:251 and 252, and to enact R.S. 4:143(16), relative to racing; to provide for a horsemen's workers' compensation insurance program; to authorize the Horsemen's Benevolent and Protective Association to secure and provide coverage for the benefit of trainers and others licensed by the Louisiana State Racing Commission; to authorize the use of association assets and revenues as security for a reserve fund; to require each licensed trainer to have a certificate of workers' compensation insurance coverage; to prohibit admittance of a licensed trainer into any racing facility without a certificate of workers' compensation insurance coverage; and to provide for related matters.

SENATE BILL NO. 70—

BY SENATORS KOSTELKA AND ELLINGTON AND REPRESENTATIVES DOWNS, ERDEY, FANNIN, KATZ, THOMPSON AND WALSWORTH

AN ACT

To amend and reenact R.S. 32:387.17(A)(5), relative to special permits; to extend authorization for issuance of special permits for trucks hauling containerized cargo in international trade intended for exportation within a fifty-mile radius of the Port of Ouachita; and to provide for related matters.

SENATE BILL NO. 151—

BY SENATORS N. GAUTREAUX, DUPRE, LENTINI, MURRAY, ROMERO, MCPHERSON, NEVERS AND SMITH AND REPRESENTATIVES ALEXANDER, ANSARDI, ARNOLD, BALDONE, BAUDOUIN, BAYLOR, BOWLER, BRUCE, BURRELL, R. CARTER, CAZAYOUX, CRANE, DAMICO, DANIEL, DARTEZ, DOERGE, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FRITH, GLOVER, GRAY, GREENE, E. GUILLORY, M. GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUTTER, JACKSON, JEFFERSON, JOHNS, KATZ, KENNARD, KENNEY, LAFLEUR, LAMBERT, LANCASTER, MARTINY, McDONALD, MCVEA, MORRELL, MORRISH, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROMERO, SALTER, SCALISE, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOWNSEND, TRAHAN, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE AND WRIGHT

AN ACT

To enact Part III-A of Chapter 2 of Title 29 of the Louisiana Revised Statutes of 1950, comprised of R.S. 29:311 through 319, relative to military, naval, and veterans' affairs; to provide certain exemptions from some terms and conditions of certain contracts entered into by active duty military personnel, and members of the Armed Forces Reserve and Louisiana National Guard who are activated pursuant to an executive order of the president of the United States, act of Congress, or state law; and to provide for related matters.

SENATE BILL NO. 271—

BY SENATORS MCPHERSON, BAJOEI, HINES AND MOUNT AND REPRESENTATIVES DORSEY, HAMMETT, SALTER AND DURAND

AN ACT

To amend and reenact R.S. 14:403.2(E)(9)(a), and to enact R.S. 40:1300.51(2)(l) and (m), and Part VI-D of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2179 through 2179.1, and to repeal R.S. 37:2504(D) and (E), relative to direct service workers; to provide relative to the adult protection agency; to provide with respect to the confidentiality of case records; to provide for criminal history checks of direct service workers; to define direct service workers; to authorize the Department of Health and Hospitals to promulgate rules to maintain a registry of direct service workers; to provide for an effective date; and to provide for related matters.

SENATE BILL NO. 278—

BY SENATOR NEVERS AND REPRESENTATIVES RITCHIE AND STRAIN

AN ACT

To amend and reenact R.S. 38:3087.191, the introductory paragraph of R.S. 38:3087.192(B) and (C), 3087.193(B), 3087.194(B), 3087.196, 3087.197(A)(2), (5), and (8) and (C), 3087.198(A)(6), 3087.199(A)(1), (B)(1) and (2), (C)(1), (D)(1), 3087.204, and 3087.205(A) and (B), relative to the Washington Parish Reservoir District; to provide for the creation, maintenance, and operation of a single reservoir in the district; to provide for reimbursement of the amount actually paid for property returned to a prior landowner; to limit the authority of the district to expropriate property; to provide for payment to owners whose property is subject to expropriation; to provide for terms for members of the board of commissioners of the district; to authorize agreements with landowners regarding building restrictions on non-submerged property; to provide relative to the district's relationship with the Louisiana Wildlife and Fisheries Commission; and to provide for related matters.

SENATE BILL NO. 327—

BY SENATOR JONES

AN ACT

To enact R.S. 46:1053(C)(2)(e), relative to hospital service districts; to authorize an increase in per diem for the members of the board of commissioners of the Madison Parish Hospital Service District; to increase the number of meeting days payable by a per diem; and to provide for related matters.

SENATE BILL NO. 330—

BY SENATOR N. GAUTREUX

AN ACT

To enact R.S. 33:423.15, relative to the city of Carencro; to provide for disciplinary action by the chief of police; to provide for an effective date; and to provide for related matters.

SENATE BILL NO. 332—

BY SENATOR N. GAUTREUX

AN ACT

To enact R.S. 33:3812(G), relative to waterworks districts; to increase the membership of the board of commissioners of the Southeast Waterworks District No. 2 of Vermilion Parish; and to provide for related matters.

SENATE BILL NO. 348—

BY SENATOR CRAVINS

AN ACT

To enact R.S. 33:2740.39, relative to special districts; to create the Opelousas Downtown Development District; to provide for the purpose and governance of the district; to provide for its rights, powers, and duties, including the authority to tax, subject to the approval of the district voters; to provide for the boundaries of the district; to provide for an effective date; and to provide for related matters.

SENATE BILL NO. 188—

BY SENATORS FONTENOT, BAJOE, HINES AND MOUNT AND REPRESENTATIVES ALARIO, HAMMETT AND SALTER

AN ACT

To amend and reenact R.S. 30:2076.2(A)(3), (B)(3), (C)(1), and (D), relative to violations of the Louisiana Pollutant Discharge Elimination System; to change such violations from a misdemeanor offense to a felony offense; and to provide for related matters.

Respectfully submitted,
CHARLES D. JONES
Chairman

The foregoing Senate Bills were signed by the President of the Senate.

Message to the Governor

SIGNED SENATE BILLS

June 16, 2005

To the Honorable Governor of the State of Louisiana:

The President of the Senate and the Speaker of the House of Representatives have signed the following Senate Bills:

SENATE BILL NO. 48—

BY SENATOR THEUNISSEN

AN ACT

To enact R.S. 38:1871, relative to gravity drainage and sub-drainage districts; to provide relative to civil immunity from liability for certain matters; to provide terms and conditions; to provide an effective date; and to provide for related matters.

SENATE BILL NO. 63—

BY SENATOR DUPLESSIS

AN ACT

To amend and reenact R.S. 32:1254(N)(3)(k)(i)(bb), relative to motor vehicle dealer disclosure; to provide relative to dealer participation in finance charges; and to provide for related matters.

SENATE BILL NO. 102—

BY SENATOR ELLINGTON AND REPRESENTATIVE QUEZAIRE

AN ACT

To enact R.S. 49:191(3) and to repeal R.S. 191(1)(e), relative to the Department of Transportation and Development; to provide for the re-creation of the Department of Transportation and

Development and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

SENATE BILL NO. 110—

BY SENATOR SMITH

AN ACT

To amend and reenact R.S. 9:3530(C)(4), relative to consumer loan transactions; to provide for a documentation fee for certain consumer loan transactions; and to provide for related matters.

SENATE BILL NO. 119—

BY SENATORS JACKSON, CHEEK AND MALONE AND REPRESENTATIVES BADON, BARROW, DOWNS, FANNIN, KENNEY AND M. POWELL

AN ACT

To amend and reenact R.S. 17:1516(A), 1517(A), (B), and (D)(introductory paragraph), 3215(6), (7), and (8) and to enact R.S. 17:3215(9), relative to the Louisiana State University and Agricultural and Mechanical College Medical School at Shreveport, to provide for the components and organization of this facility; and to provide for related matters.

SENATE BILL NO. 149—

BY SENATORS BAJOE, BROOME, CHAISSON, CHEEK, CRAVINS, DUPLESSIS, N. GAUTREUX, HINES, JACKSON, MURRAY AND SCHEDLER AND REPRESENTATIVES FARRAR, GALLOT, JEFFERSON, MARCHAND, MONTGOMERY AND TOWNSEND

AN ACT

To enact R.S. 46:450.5, relative to public assistance; to provide evaluation services to certain persons for chronic kidney disease; to provide early intervention and treatment to certain persons with chronic kidney disease; and to provide for related matters.

SENATE BILL NO. 153—

BY SENATOR MICHOT AND REPRESENTATIVE SCALISE

AN ACT

To enact Code of Civil Procedure Art. 258 and to repeal Act No. 543 of the 1980 Regular Session of the Legislature as amended by Act No. 927 of the 1985 Regular Session of the Legislature and as amended by Act No. 706 of the 1993 Regular Session of the Legislature, relative to clerks of court and official recorders; to provide relative to the filing of any recordable written instrument submitted by certain entities of the state or federal government or by certain financial institutions; to authorize the electronic filing and recording of such instruments; to require certification of conformity of such instruments to form and content required by law; to require certain endorsement of such filed instruments; to provide for procedures relative to receipt of such filed instruments; to provide relative to the effectiveness of such filed instruments; to repeal the authority of the Lafayette Parish Clerk of Court to employ an attorney at law; and to provide for related matters.

SENATE BILL NO. 173— (Duplicate of House Bill No. 859)

BY SENATOR MICHOT AND REPRESENTATIVE ROBIDEAUX AND COAUTHORED BY SENATORS DUPRE, B. GAUTREUX AND N. GAUTREUX AND REPRESENTATIVES ALARIO, ALEXANDER, BALDONE, DARTEZ, FAUCHEUX, FRITH, GEYMAN, KLECKLEY, SCALISE AND JACK SMITH

AN ACT

To enact R.S. 47:306.2 and 337.20.1, relative to the payment of state and local sales and use taxes by certain interstate and foreign transportation dealers; to provide for the optional method by which such dealers calculate and pay such taxes; and to provide for related matters.

SENATE BILL NO. 184—

BY SENATOR LENTINI

AN ACT

To amend and reenact R.S. 40:1299.39.1(A)(1)(e), (2)(a), (3)(a), and the introductory paragraph of (4), and the introductory paragraph of (G) and R.S. 40:1299.47 (A)(1)(e), (2)(a), (3)(a) and (c) and the introductory paragraph of (4), the introductory paragraph of (G), (L) and (M), to enact R.S. 40:1299.39.1(A)(5)

and 1299.47(A)(5) and to repeal R.S. 40:1299.47(K); relative to medical liability; and to provide for related matters.

SENATE BILL NO. 190—

BY SENATORS BROOME, BAJOE, HINES, MCPHERSON, MOUNT, JACKSON AND SCHEDLER AND REPRESENTATIVES ALARIO, DORSEY, HAMMETT AND SALTER

AN ACT

To amend and reenact R.S. 40:1299.53 (A)(6) and 1299.58 (A)(introductory paragraph) and (A)(1), to enact R.S. 40:1299.53 (A)(10) and (11), (C) and (D), 1299.58 (G), Chapter 4-A of Title 28 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 28:445.1 through 445.32, and Part VI-D of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2180 through 2180.5, and to repeal R.S. 28:380 through 382 and 383 through 444 and R.S. 28:421 through 427, relative to citizens with developmental disabilities; to provide for definitions; to provide for system components, operations, and principles; to provide for the rights of persons with developmental disabilities; to provide for appeal and grievance procedures; to provide for consent by a person with a developmental disability; to provide for judicial commitment; to provide for the administration of the state developmental centers; to provide for the ombudsman program and quality assurance of facilities and services for persons with developmental disabilities; to provide for licensure of intermediate care facilities for the mentally retarded; to provide for definitions; to provide for an effective date; and to provide for related matters.

SENATE BILL NO. 200— (Duplicate of House Bill No. 419)

BY SENATOR BAJOE AND REPRESENTATIVE K. CARTER AND COAUTHORED BY SENATORS JACKSON, MURRAY, NEVERS AND SCHEDLER AND REPRESENTATIVE SCALISE

A JOINT RESOLUTION

Proposing to add Article VII, Section 21(C)(19) of the Constitution of Louisiana, relative to ad valorem property tax exemptions; to provide an exemption for certain artwork; to specify an election for submission of the proposition to electors and provide a ballot proposition; to provide for an effective date; and to provide for related matters.

SENATE BILL NO. 208—

BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 32:304, relative to motor vehicles; to clarify certain requirements with respect to tail lamps on vehicles; and to provide for related matters.

SENATE BILL NO. 210—

BY SENATOR HEITMEIER

AN ACT

To amend and reenact Sections 1 and 2 of Act No. 233 of the 1984 Regular Session of the Legislature, as amended by Act No. 847 of the 1992 Regular Session of the Legislature, Act No. 1364 of the 1997 Regular Session of the Legislature, and Act No. 1378 of the 1999 Regular Session of the Legislature, relative to the Bohemia Spillway; to provide a procedure for persons claiming an ownership interest in property or minerals located in the Bohemia Spillway; to provide for certification of property and mineral ownership interest and for the return of such property and mineral interest to the certified owner or his successor by the Board of Levee Commissioners of the Orleans Levee District; to provide for payment by the board to the certified owner or his successor for mineral revenues received by the board from such property after June 29, 1984; to provide an exemption to the board of commissioners from certain judgments rendered involving title to properties and claims involving mineral revenues derived from land located in the spillway; and to provide for related matters.

SENATE BILL NO. 219—

BY SENATOR FONTENOT

AN ACT

To repeal R.S. 45:1206, relative to the Energy Efficiency Fund; to repeal the authority of the Public Service Commission to adopt

rules and regulations to establish the Energy Efficiency Fund; and to provide for related matters.

SENATE BILL NO. 222—

BY SENATOR HOLLIS

AN ACT

To amend and reenact R.S. 9:3529, relative to certain credit transactions; to provide for the collection of certain fees and charges due to insufficient funds when payment is made by electronic means; and to provide for related matters.

SENATE BILL NO. 224—

BY SENATOR HOLLIS

AN ACT

To amend and reenact R.S. 47:303(D) and R.S. 56:6(21), and 303(D) and (E), and to enact R.S. 34:851.2(12) and 851.37, relative to a system of special certificate agents; to provide for such agents to collect motorboat or sailboat registration certificate fees and to issue registration certificates and decals; to provide for such agents to collect commercial fisherman's license fees and to issue commercial fisherman's licenses; and to provide for related matters.

SENATE BILL NO. 232—

BY SENATOR MURRAY AND REPRESENTATIVE BRUNEAU

AN ACT

To enact R.S. 26:85.2, relative to alcohol beverage control; to establish and authorize the issuance of a museum permit to authorize the limited sale of certain commemorative bottles of alcohol and to authorize the limited service of product samples in a historically-based museum facility that is operated in a historic preservation district; and to provide for related matters.

SENATE BILL NO. 237—

BY SENATOR ULLO

AN ACT

To enact R.S. 46:333(E), relative to blind vendors; to authorize the Department of Social Services to enter into certain contracts; to provide for the assignment of income from vending machines; to provide for compliance with the Randolph-Sheppard Act; and to provide for related matters.

SENATE BILL NO. 238—

BY SENATORS ELLINGTON, AMEDEE, FONTENOT, HOLLIS AND MICHOT

AN ACT

To amend and reenact R.S. 47:318(B)(2), relative to the Department of Economic Development; to provide relative to the disposition of certain tax collections; to provide relative to the marketing fund; and to provide for related matters.

SENATE BILL NO. 247—

BY SENATOR MOUNT AND REPRESENTATIVE BOWLER

AN ACT

To enact Civil Code Art. 2807.5 and R.S. 12:1310.5, relative to partnerships and limited liability companies; to provide for the retroactive effect of a partnership's or a limited liability company's existence when immovable property is acquired by such entities which have not been duly constituted; and to provide for related matters.

SENATE BILL NO. 268—

BY SENATORS SMITH AND ELLINGTON

AN ACT

To amend and reenact R.S. 48:274.1(A)(2)(a), relative to outdoor logo signing program on interstate highways; to provide relative to contracts with third parties; to provide for payment to the Department of Transportation and Development for use of rights-of-way; to provide for selection of the third party or parties to be a competitive process in accordance with the procurement code; and to provide for related matters.

and they are hereby presented for executive approval.

Respectfully submitted,
GLENN A. KOEPP
Secretary of the Senate

Adjournment

Senator Bajoie moved that the Senate adjourn until Friday, June 17, 2005, at 1:30 o'clock P.M.

The President of the Senate declared the Senate adjourned until 1:30 o'clock P.M. on Friday, June 17, 2005.

GLENN A. KOEPP
Secretary of the Senate

GAYE F. HAMILTON
Journal Clerk